In the Name of Allah,
the All-beneficent, the All-merciful

قال الله تعالى:

﴿إِنَّمَا يُرِيدُ ٱللَّهُ لِيُذْهِبَ عَنْكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا﴾

Indeed Allah desires to repel all impurity from you, O People of the Household, and purify you with a thorough purification. (*Sūrat al-Aḥzāb* 33:33).

Prophetic traditions mentioned in both in Sunnī and Shī'ah authoritative reference books of *ḥadīth* and *tafsīr* (exegesis of the Qur'an) have confirmed that this holy verse was revealed to exclusively refer to the People of the Cloak [*ahl al-kisā'*], viz. Muḥammad, 'Alī, Fāṭimah, al-Ḥasan, and al-Ḥusayn ('a) as the *Ahl al-Bayt* (People of the Household).

For instance, refer to the following references:

Sunnī

Aḥmad ibn Ḥanbal (d. 241 AH), *al-Musnad*, 1:231; 4:107; 6:292, 304; *Ṣaḥīḥ Muslim* (d. 261 AH), 7:130; Al-Tirmidhī (d. 279 AH), *Sunan*, 5:361 et al.; Al-Dūlābī (d. 310 AH), *Al-Dhuriyyah al-Ṭāhirah al-Nabawiyyah*, p. 108; Al-Nasā'ī (d. 303 AH), *Al-Sunan al-Kubrā'*, 5:108; 113; Al-Ḥakīm al-Nayshābūrī (d. 405 AH), *Al-Mustadrak 'ala' ṣ-Ṣahīḥāyn*, 2:416, 3:133, 146-147; Al-Zarkashī (d. 794 AH), *Al-Burhān*, p. 197; Ibn Hājar al-Asqalānī (d. 852 AH), *Fatḥ al-Barī Sharḥ Ṣaḥīḥ al-Bukhārī*, 7:104.

Shī'ah

Al-Kulaynī (d. 328 AH), *Uṣūl al-Kāfī*, 1:287; Ibn Babawayh (d. 329 AH), *Al-Imāmah wa' t-Tabṣīrah*, p. 47, *ḥadīth* 29; Al-Maghribī (d. 363 AH), *Da'ā'im al-Islām*, pp. 35, 37; Al-Ṣādūq (d. 381 AH), *Al-Khiṣāl*, pp. 403, 550; Al-Ṭūsī (d. 460 AH), *Al-Amalī*, *ḥadīth* 438, 482, 783.

For more details, refer to the exegesis of the holy verse recorded in the following books of *tafsīr*: Al-Jassās (d. 370 AH), *Aḥkām al-Qur'ān*; Al-Wāḥidī (d. 468 AH), *Asbāb al-Nuzūl*; Ibn al-Jawzī (d. 597 AH), *Zād al-Masīr*; Al-Qurṭubī (d. 671 AH), *Al-Jāmi' Li-Aḥkām al-Qur'ān*; Ibn Kathīr (d. 774 AH), *Tafsīr*; Al-Tha'labī (d. 825 AH), *Tafsīr*; Al-Ṭabarī (d. 875 AH), *Tafsīr*; Al-Suyūṭī (d. 911 AH), *Al-Durr al-Manthūr*; Al-Shawkānī (d. 1250 AH), *Fatḥ al-Qadīr*; Al-'Ayyāshī (d. 320 AH), *Tafsīr*; Al-Qummī (d. 329 AH), *Tafsīr*; Furt al-Kūfī (d. 352 AH), *Tafsīr* at the margin of the exegesis of *Sūrat al-Nisā'* verse 59; Al-Ṭabarsī (d. 560 AH), *Majma' al-Bayān*, as well as many other sources.

THE ROLE OF
THE AHL AL-BAYT (‘a)
IN BUILDING THE VIRTUOUS COMMUNITY

BOOK FIVE:

THE ECONOMIC SYSTEM
OF THE VIRTUOUS COMMUNITY

قال رسول الله |:

"إني تارك فيكُمُ الثَقلين: كتاب الله، وعترتي أهلَ بيتي، ما إن تمسكتُم بهما لن تضلوا أبداً وأنَّهُما لَن يَفترِقا حتّى يردا عَليَّ الحوضَ"

The Messenger of Allah (ṣ) said:

"Verily, I am leaving among you two precious things [*thaqalayn*]: The Book of Allah and my progeny [*'itratī*], the members of my Household [*Ahl al-Bayt*]. If you hold fast to them, you shall never go astray. These two will never separate from each other until they meet me at the Pond [*ḥawḍ*] (of *Kawthar*)."

Some references:

- Al-Ḥākim an-Nayshābūrī, *Al-Mustadrak 'alā'ṣ-Ṣaḥīḥayn* (Beirut), vol. 3, pp. 109-110, 148, 533
- Muslim, *Aṣ-Ṣaḥīḥ*, (English translation), book 31, *ḥ□adīth*s 5920-3
- At-Tirmidhī, *Aṣ-Ṣaḥīḥ*, vol. 5, pp. 621-2, *ḥ□adīth*s 3786, 3788; vol. 2, p. 219
- An-Nasā'ī, *Khaṣā'iṣ 'Alī ibn Abī Ṭālib*, *ḥ□adīth* 79
- Aḥmad ibn Ḥanbal, *Al-Musnad*, vol. 3, pp. 14, 17, 26; vol. 3, pp. 26, 59; vol. 4, p. 371; vol. 5, pp. 181-182, 189-190
- Ibn al-'Athīr, *Jāmi' al-Uṣūl*, vol. 1, p. 277
- Ibn Kathīr, *Al-Bidāyah wa'n-Nihāyah*, vol. 5, p. 209
- Ibn Kathīr, *Tafsīr al-Qur'ān al-'Aẓīm*, vol. 6, p. 199

Naṣīr ad-Dīn al-Albanī, *Silsilāt al-Aḥādīth aṣ-Ṣaḥīḥah* (Kuwait: Ad-Dār aṣ-Ṣalāfiyyah), vol. 4, pp. 355-358

THE ROLE OF
THE AHL AL-BAYT

IN BUILDING THE VIRTUOUS COMMUNITY

BOOK FIVE:
THE ECONOMIC SYSTEM
OF THE VIRTUOUS COMMUNITY

ᵃYATULLᵃH SAYYID
MUᵒAMMAD BᵃQIR AL-ᵒAK«M

Translator

Badr Shahin

Cultural Affairs Department
Ahl al-Bayt(ᶜa) World Assembly

نام كتاب: دور أهل البيت (ع) في بناء الجماعة الصالحة / ج 5
نويسنده: آية الله سيد محمد باقر الحكيم
تهيه كننده: اداره ترجمه، اداره كل پژوهش مجمع جهاني اهل بيت (ع)
مترجم: بدر شاهين
زبان ترجمه: انگليسى

Title: The Role of the Ahl al-Bayt (‘a) in Building the Virtuous Community, **Book Five**: The Economic System of the Virtuous Community
Author: Āyatullāh Sayyid Muḥammad Bāqir Al-ḥakīm
Project supervisor: Translation Unit, Cultural Affairs Department Ahl al-Bayt (‘a) World Assembly (ABWA)
Translator: Badr Shahin
Editor: Iffat Shah and Carol Ahmadi
Revised by: Ashraf Carl Eastman Ahmadi
Publisher: ABWA Publishing and Printing Center
First Printing: 2011
Printed by: Mojab
Copies: 5000
ISBN:
© Ahl al-Bayt (‘a) World Assembly (ABWA)
All rights reserved.
www.ahl-ul-bayt.org
info@ahl-ul-bayt.org

Contents

THE ECONOMIC SYSTEM

Prelude — 11

A General View of the Topic of Economy — 11

Significance of the Economic System — 11

Goals of the Economic System 12

Ahl al-Bayt's concept of the Economic System — 13

The Topic of Discussion — 15

CHAPTER ONE: GENERAL ECONOMIC LEGISLATION

Preamble — 21

Zakªt — 23

Ahl al-Bayt's view of the significance of zak¡t — 24

Funds subject to zak¡t — 25

Usage of the money of zak¡t — 36

Supervision of zak¡t funds — 42

Derelict Lands — 46

Annexed Lands —52

Private and Public Awqaf — 55

CHAPTER TWO: RESTRICTED ECONOMIC LEGISLATION

Preamble — 63

Khums Paid From Profits — 65

People-obtained funds subject to khums — 73

Profit of earnings subject to khums — 78

The Emergence of this Ruling in Later Times —81

The Role of Khums in Improving the Economic Conditions of the Virtuous Community — 86

Khums as a financial resource — 86
Flexibility in Khums Taxation — 87
Expansive Financial Capacities — 88
Security against enemies — 88
Doctrinal and spiritual aspects — 89
Organizational aspect — 89
Actual aspect — 90

Restricted Social Solidarity — 92
(1) Public Alms — 93
(2) Rights of Brethren-in-Faith — 97

CHAPTER THREE
ECONOMIC ACTIVITY

PREAMBLE — 105

Encouraging Economic Activity — 107

General Trend of Economic Activity — 112

Directing Economic Activity — 120
Common Activities — 120
Forbidden Activities — 122
Unambiguous Economic Activities — 126

Commerce — 127
Objectives of Encouraging Commerce — 132

Agriculture — 134
Social Objectives of Agriculture — 139

Real Estate — 141

Epilogue — 145

BOOK FIVE
THE ECONOMIC SYSTEM

Prelude: A General View of the Topic of Economy

Chapter One: General Economic Legislation of Islam

Chapter Two: Restricted Economic Legislation of Islam

Chapter Three: Economic Activity

Epilogue: Summary

PRELUDE

A General View of the Topic of Economy

The economic or financial issue of each community is considered one of the vital constituents of the general system without which no community can endure political and social pressures, evolve, or attain perfection.

As a divine message proposed for the mental and spiritual perfection of man, Islam has paid great attention to the economic and financial aspect. Financial issues generally play an important role in achieving perfection. This fact is visible in the following points:

Significance of the Economic System

A. On various occasions the Holy Qur'¡n has mentioned *zak¡t* (in its general sense almsgiving, and specifically, as an obligation, a tax imposed on Muslims under certain conditions) along with the religious duty of performing prayers, with the purport that these two obligations cannot be separated. Likewise, *zak¡t* has been attached to self-sacrifice for the sake of Almighty Allah and has been presented—in the form of spending for the sake of Almighty Allah on the poor, the needy, and the financially distressed, such as the indebted and their like—as one of those acts of obedience to Almighty Allah through which His nearness can be attained.

B. Just as Islam has organized the issues of family; society; one's relationship with Almighty Allah, nature, and humankind; and other aspects of life so also has it organized the issue of spending, by laying down public and private duties in this domain at the family and individual levels of the virtuous community as well as maintenance of the social and political existence of both the virtuous community and the general public.

C. In the beginning of its existence, the promulgation of Islam rested on substantial funds that were owned by Lady Khad¢jah al-Kubr¡ (the great), the Holy Prophet's first wife, who played an extremely great role in saving the mission of Islam in its early stages by standing against a variety of pressures brought on by the polytheists.

D. Because the polytheists assessed the significance of economic aspects at the outset of the advance of the Islamic mission, they laid an economic siege upon its propagation to try to stop it. For instance, they tried to stop the Islamic mission when they blockaded the Muslims in the mountain pass of Ab£-±¡lib (*shi`b ab¢-§¡lib*) and boycotted them economically, using different methods to maintain pressure.

Goals of the Economic System

There are three basic goals of the Islamic economic system when applied to Muslim society in particular and all societies in general:

(i) To ensure the welfare and internal stability of social relations and establish a vital system for spiritual perfection. This depends, to a great extent, on finding proper solutions to the problems of poverty, destitution, helplessness, and iniquitous discrimination in the levels of wages.

(ii) To grant the virtuous community independence and ability to move and progress freely and make correct decisions. Of course, the achievement of this goal depends, for the most part, on economic independence and financial power.

(iii) To establish common social, cultural, and utility services to facilitate the progress of the virtuous community as a political and social entity; to practice cultural, social and defensive activities to defend the entity of the virtuous community and help it achieve its goals.

Ahl al-Bayt's concept of the Economic System

From the outset the Ahl al-Bayt (‘a) depended upon the genuine view of Islam and its all-inclusive economic concept because Islam, in all its features, includes the Ahl al-Bayt's concept of building the virtuous community. They emphasized the necessity of observing collective financial duties, as is deduced from their traditions on *zak¡t*.

Shaykh al-¯ad£q, through an authentic chain of authority, has reported `Abdull¡h ibn Sin¡n as quoting Imam al-¯¡diq (‘a) to have said:

لَمَّا نَزَلَتْ آيَةُ الزَّكَاةِ: **{گ گ گ گ ں ں ڻ}** فِي شَهْرِ رَمَضَانَ، فَأَمَرَ رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، مُنَادِيَهُ فَنَادَى فِي النَّاسِ: إِنَّ اللهَ، تَبَارَكَ وَتَعَالَى، قَدْ فَرَضَ عَلَيْكُمُ الزَّكَاةَ كَمَا فَرَضَ عَلَيْكُمُ الصَّلاَةَ. فَفَرَضَ عَلَيْكُمْ مِنَ الذَّهَبِ

When in the month of Rama¤¡n this holy verse was revealed: "Take charity out of their property in order to cleanse them and purify them thereby, (9:103)" the Holy Prophet (¥) ordered his caller to call out, "O people, Almighty Allah has prescribed for you as an obligation to pay *zakit* just as He has prescribed for you performance of the prayers. Hence, He is imposing on you (a proportion) of gold, silver, camels, cows, sheep, wheat,

barley, dates, and raisins." The Holy Prophet (¥) announced this to the people in the month of Rama¤in excluding other items (from *zakit* taxation). However, he did not ask them to pay their *zakit* until completion of one complete year. The next year, after they had observed fasting and broken their fast, He (¥) ordered his caller to call out, "O Muslims, pay out the *zakit* from your assets so that your prayers may be accepted." He then appointed a collector to collect alms and payments.[1]

وَ الْفِضَّةِ وَ الإِبِلِ
وَ الْبَقَرِ وَ الْغَنَمِ
وَمِنَ الْحِنْطَةِ
وَ الشَّعِيرِ وَ التَّمْرِ
وَ الزَّبِيبِ، وَنَادَى
فِيهِمْ بِذَلِكَ فِي شَهْرِ
رَمَضَانَ، وَعَفَا لَهُمْ
عَمَّا سِوَى ذَلِكَ. ثُمَّ
لَمْ يَتَعَرَّضْ لِشَيْءٍ مِنْ
أَمْوَالِهِمْ حَتَّى حَالَ
عَلَيْهِمُ الْحَوْلُ مِنْ
قَابِلٍ. فَصَامُوا
وَ أَفْطَرُوا، فَأَمَرَ،
صَلَّى اللهُ عَلَيْهِ وَ آلِهِ
وَسَلَّمَ، مُنَادِيَهُ
فَنَادَى فِي
الْمُسْلِمِينَ: أَيُّهَا
الْمُسْلِمُونَ، زَكُّوا
أَمْوَالَكُمْ تُقْبَلْ
صَلاَتُكُمْ. ثُمَّ وَجَّهَ
عُمَّالَ الصَّدَقَةِ
وَعُمَّالَ الطُّسُوقِ.

According to another authentic narration, Ab£-Ba¥¢r reported the following tradition.

Some wealthy men were in the presence of Ab£-`Abdull¡h (Imam al-¯¡diq (‘a)) in our presence. As they mentioned the *zak¡t*, the Imam (‘a) commented:

Payment of *zakit* is not a source of praise for the payer; rather, it is something apparent, due to which

إِنَّ الزَّكَاةَ لَيْسَ
يُحْمَدُ بِهَا

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:3, H. 1.

صَاحِبُهَا. إِنَّمَا هُوَ شَيْءٌ ظَاهِرٌ، إِنَّمَا حَقَنَ اللهُ بِهِ دَمَهُ وَسُمِّيَ بِهِ مُسْلِماً، وَلَوْ لَمْ يُؤَدِّهَا لَمْ تُقْبَلْ لَهُ صَلاَةٌ.

Almighty Allah saves the payer's blood from being shed and grants him the title of Muslim. Hence, the prayers of the person who does not pay it will not be accepted.[1]

The Ahl al-Bayt (‘a) planned the economic system of the virtuous community, based on the observance of Islamic precepts and common commitments to the Islamic state, because this community is meant to live within the Islamic state and Muslim society.

The Topic of Discussion

In this discussion, we do not intend to thrash out the viewpoint of the Ahl al-Bayt on the economic theory of Islam comprehensively because this topic has been discussed elsewhere[2] showing the Ahl al-Bayt's exclusive and genuine understanding of Islam in a way quite distinctive from the founders of other Muslim jurisprudential sects. Our main point in the present discussion is to explore, based on the general economic theory of Islam, two major problems related to the building of the virtuous community that the Ahl al-Bayt (‘a) had to deal with. These were:

(i) Coordination between the economic system adopted by the governing authorities and the resulting financial duties with the Islamic economic system as applied by the Ahl al-

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:28, H. 3.

2- The reader is advised to refer to the book of *Iqti¥¡dun¡* (Our Economy) by Ayatollah Martyr Mu¦ammad B¡qir al-¯adr, especially part II where the author treats these issues elaborately.

Bayt (‘a). Of course, such combined duties increased the burden and financial commitments of the virtuous community.

(ii) Making available financial resources to cover expenses of development and management of the affairs of the virtuous community in order to provide genuine economic independence, achievement of which was a veritable problem bearing in mind the exceptional circumstances of the Ahl al-Bayt (‘a) and their followers.

The coming discussions will deal with situations and procedures that the Ahl al-Bayt (‘a) adopted to remedy these two problems. Subsequently, some features will be mentioned that characterize the Ahl al-Bayt (‘a) school from a legislative point of view and also procedures adopted in the field of finance. Some distinctive features of the economic system of the virtuous community are as follows:

- social solidarity as an obligation
- *khums*
- sectors of the society for which the funds of *zak¡t* must be used
- the significance of *waqf* (endowment of property under which the proceeds are to be devoted to a religious or charitable purposes)
- important economic activities including commerce and agriculture
- special contributions

These economic topics will be considered in three chapters:

The **first chapter** explains **general economic legislation** by which Islamic states have abided. The **second chapter**

deals with **restricted economic legislation** of Islam administered by the Ahl al-Bayt (‘a) but by which the Islamic state of the time did not abide. The **third chapter** discusses **economic activies** and the Ahl al-Bayt’s attitude towards them.

Chapter One:
General Economic Legislation

1. Zakāt

2. Derelict Lands

3. Annexed Lands

4. Endowments (Waqf)

PREAMBLE

The Ahl al-Bayt (‘a) instructed their followers to accept and conform to general economic legislation, including commercial transactions and contracts and their financial resultants and commitments. These instructions also dealt with disagreements by jurisprudents about transactions and the degree of obligation towards a certain law. Such differences between the Ahl al-Bayt (‘a) school and other jurisprudential schools are trivial.

Laws regarding transactions and contracts depend upon the Holy Legislator’s consent according to the rationally approvable line of conduct (i.e. *al-S¢rah al-`uqal¡'iyyah*), with a few exceptions like usury and transactions which include illegal profit about which there is a slight disagreement among the Muslim jurisprudential schools.

According to the Ahl al-Bayt (‘a) school, the Ahl al-Bayt (‘a) are the rightful rulers of the Muslim nation as designated by Almighty Allah. In the field of economic legislation, it might be strange if there were no disagreement among the Muslim jurisprudential schools in spite of being firmly based on the laws of Islam, and strongly related to the interests of the Muslim leadership and the virtuous community.

We will refer to **four of the most important rulings** in the field of finance and economy by looking at the instructions given to the partisans and followers of the Ahl al-Bayt (‘a) in order to demonstrate the standpoint of the Ahl al-Bayt (‘a) regarding these issues.

ZAKªT

Confirmed by the Holy Qur'¡n and the traditions of the Holy Prophet (¥), *zak¡t* is held to be the most important legislation in the field of finance. Islam has very accurately delineated private assets owned by Muslims that are subject to this tax. These assets are nine in number and include two monetary standards: gold and silver; four types of produce: wheat, barley, dates, and raisins; and the three types of livestock: camels, cows, and sheep.

Furthermore, Islam has designated the ruler of the Muslim community as the supervisor and custodian of these taxes whose mission is to estimate, calculate, assess, and collect the correct amount of *zak¡t* from the owners of these assets. The Holy Qur'¡n has also regulated the use of these taxes and dedicated them to the following categories that are mentioned in this holy verse:

> The alms are only for the poor, the needy, those who collect them, to influence hearts (to belief), to free captives and debtors, for the cause of Allah, and for the wayfarer—a duty imposed by Allah. Allah is Knower, Wise. (9:60)

ٹ ڈ ڈ ۀ ہ ہ ہ ھ ھ ے
ے ۓ ك ك ګ ګ و ۇ ۆ ۆ

Four major aspects of *zak¡t* are as follows:

(i) Significance and origin of *zak¡t*
(ii) Items subjected to *zak¡t*
(iii) Expenditure of *zak¡t*
(iv) Supervision of *zak¡t*

Ahl al-Bayt's view of the significance of zak¡t

The Ahl al-Bayt (‘a) adopted the same level of emphasis on this religious duty as adopted by other Muslim groups, although among other groups the funds of *zak¡t* were often held by unjust rulers.

According to an authentic narration, Mu¦ammad ibn Muslim, Ab£-Ba¥¢r, Burayd, and Fu¤ayl have reported Imam al-B¡qir (‘a) and Imam al-¯¡diq (‘a) as saying:

فَرَضَ اللهُ الزَّكَاةَ مَعَ الصَّلاَةِ.

Almighty Allah has deemed *zakit* obligatory along with the (duty of) prayer.[1]

According to another authentic narration, Mu¦ammad ibn Muslim has reported Imam al-B¡qir (‘a) as saying:

مَا مِنْ عَبْدٍ مَنَعَ مِنْ زَكَاةِ مَالِهِ شَيْئاً إِلاَّ جَعَلَ اللهُ ذَلِكَ يَوْمَ الْقِيَامَةِ ثُعْبَاناً مِنْ نَارٍ مُطَوَّقاً فِي عُنُقِهِ يَنْهَشُ مِنْ لَحْمِهِ حَتَّى يَفْرِغَ مِنَ الْحِسَابِ. وَهُوَ قَوْلُ اللهِ عَزَّ وَجَلَّ: {□ □

As for any servant (of Allah) who refrains from paying *zakit* (out of his wealth), Almighty Allah will certainly transform his assets into a fiery serpent, encircling his neck and biting his flesh until the settlement of accounts with him is finished. This is the meaning of Almighty Allah's saying, "They shall have that, whereof they were niggardly, cleave to their necks on the Day of Resurrection. (3:180)"[2]

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:5, H. 8.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:11, H. 3.

{□ □ □ □

One who refuses to pay *zak¡t* and violates this duty or denies *zak¡t* as a religious obligation is deemed *k¡fir* (apostate from Islam) because *zak¡t* is one of the essential duties of Islam.

Ab£-Ba¥¢r has reported Imam al-¯¡diq (‘a) as saying:

مَنْ مَنَعَ قِيرَاطاً مِنَ الزَّكَاةِ فَلَيْسَ بِمُؤْمِنٍ وَلاَ مُسْلِمٍ. وَهُوَ قَوْلُ اللهِ عَزَّ وَجَلَّ: {ے ے ۓ ۓ ڭ ڭ ڭ ڭ}

Whoever refrains from paying even a carat of *zakit* is neither a believer (mu'min) nor Muslim. This is the meaning of Almighty Allah’s saying, “(Until when death overtakes one of them, he says:) ‘Send me back, my Lord, send me back! Haply I may do good in that which I have left.’ (23:99-100)”[1]

According to another authentic narration, Ab£-Ba¥¢r has reported Imam al-¯¡diq (‘a) as saying:

مَنْ مَنَعَ قِيرَاطاً مِنَ الزَّكَاةِ فَلْيَمُتْ إِنْ شَاءَ يَهُودِيّاً أَوْ نَصْرَانِيّاً.

He who refrains from paying even a carat of *zakit* may die a Jew or Christian, whichever he likes.[2]

Funds subject to zak¡t

Regarding the items subject to *zak¡t*, there is some disagreement among the Ahl al-Bayt (‘a) school and other Muslim jurisprudential schools. The disagreement lies in two major points and arises from the difference between the jurisprudential ijtihad-based outcome of the followers of the Ahl al-Bayt (‘a) and the followers of other Muslim sects. Such

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:18, H. 3.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:18, H. 5.

difference, however, is not found in narrations and traditions reported from the Ahl al-Bayt (‘a).

- According to the general and familiar jurisprudential opinion of the Ahl al-Bayt’s followers, assets of commerce and goods that are in merchants’ shops and stores are not subject to *zak¡t*; however, the general jurisprudential opinion of other Muslim sects maintains that these items are subject to *zak¡t*. Several traditions, reported from the Ahl al-Bayt (‘a), do declare such items as obligatory for *zak¡t* and, as a result, some scholars from the Ahl al-Bayt (‘a) school have adopted this opinion; however, these traditions have been understood by the master scholars of this school as *recommending* the payment of *zak¡t* on such items or as having been said as a consequence of *taqiyyah* because of the fact that other sacred texts and traditions restrict this tax to the nine aforementioned categories of property.
- Like the previous point, disagreement on the ruling concerning additional produce and livestock—such as rice, corn and horses—arises from the difference in the jurisprudential, deductive outcome between the Ahl al-Bayt (‘a) school and other Muslim schools of jurisprudence. Once again, there are some traditions reported from the Ahl al-Bayt (‘a) involving the possible obligation of paying *zak¡t* on these items, but these traditions have been understood by the scholars of this school *as being only a recommendation* or as having been said as a

consequence of *taqiyyah*.[1]

We can give two explanations for this minor difference supported by some points of evidence notwithstanding the scope of their accuracy.

(a) In Islamic legislation, *zak¡t* is in fact obligatory on the nine previously mentioned items, while it is only *recommended* to pay *zak¡t* for other items. The Ahl al-Bayt (‘a) are well known for their in-depth knowledge of this fact (i.e., the distinction between the items on which *zak¡t* is obligatory and those on which it is recommended), while other Muslims show confusion about it. Some authentic traditions support this observation.

`Abdull¡h ibn Sin¡n quoted Imam al-¯¡diq (‘a) to have said:

When this holy verse was revealed: “Take charity out of their property, in order to cleanse them and purify them thereby, (9:103)” the Holy Prophet (¥), in the month of Rama¤in, ordered his caller to call out, “O people, Almighty Allah has prescribed for you as an obligation to pay *zakit* just as He has prescribed for you performance of the prayers. Hence, He is imposing on you (a proportion) of gold, silver, camels, cows, sheep, wheat, barley, dates, and raisins.” The

لَمَّا نَزَلَتْ آيَةُ الزَّكَاةِ: {گ گ گ گ ں ں} فِي شَهْرِ رَمَضَانَ، فَأَمَرَ رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، مُنَادِيَهُ فَنَادَى فِي النَّاسِ: إِنَّ اللهَ، تَبَارَكَ وَتَعَالَى، قَدْ فَرَضَ عَلَيْكُمُ الزَّكَاةَ كَمَا فَرَضَ عَلَيْكُمُ الصَّلاَةَ. فَفَرَضَ عَلَيْكُمْ مِنَ الذَّهَبِ وَالْفِضَّةِ وَالإِبِلِ وَالْبَقَرِ وَالْغَنَمِ وَمِنَ

1- In the current discussion, we do not intend to discuss this topic in detail and display the points of evidence according to Muslim jurisprudence; rather, we just bring up the jurisprudential result and try to explain it from an economic and political viewpoint in a probable mode.

الْحِنْطَةِ وَالشَّعِيرِ وَالتَّمْرِ وَالزَّبِيبِ، وَنَادَى فِيهِمْ بِذَلِكَ فِي شَهْرِ رَمَضَانَ، وَعَفَا لَهُمْ عَمَّا سِوَى ذَلِكَ.

Holy Prophet (¥) announced these to people in the month of Rama¤in, excluding all other items...[1]

Imam al-B¡qir (‘a) and Imam al-¯¡diq (‘a) are reported to have said:

فَرَضَ اللهُ، عَزَّ وَجَلَّ، الزَّكَاةَ مَعَ الصَّلاَةِ فِي الأَمْوَالِ، وَسَنَّهَا رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، فِي تِسْعَةِ أَشْيَاءَ، وَعَفَا رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، عَمَّا سِوَاهُنَّ: فِي الذَّهَبِ وَالْفِضَّةِ وَالإِبِلِ وَالْبَقَرِ وَالْغَنَمِ وَالْحِنْطَةِ وَالشَّعِيرِ وَالتَّمْرِ وَالزَّبِيبِ. وَعَفَا رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، عَمَّا سِوَى ذَلِكَ.

Almighty Allah has imposed (as a religious duty) the payment of *zakit* from assets along with the (religious duty of) prayers. The Messenger of Allah (¥) enacted *zakit* to be paid from nine things only and he excluded everything else: from gold, silver, camels, cows, sheep, wheat, barley, dates, and raisins. The Messenger of Allah (¥) excluded everything else."[2]

Mu¦ammad (ibn Ja`far) al-±ayy¡r has reported that he asked Imam al-¯¡diq (‘a) about the items that are as an obligation subjected to *zak¡t*.

The Imam (‘a) answered:

فِي تِسْعَةِ أَشْيَاءَ: الذَّهَبِ وَالْفِضَّةِ وَالْحِنْطَةِ وَالشَّعِيرِ

These are nine things; gold, silver, wheat, barley, dates, raisins, camels, cows, and sheep. The

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:3, H. 1.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:34, H. 4.

وَالتَّمْرِ وَالزَّبِيبِ وَالإِبِلِ وَالْبَقَرِ وَالْغَنَمِ. وَعَفَا رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، عَمَّا سِوَى ذَلِكَ.

Messenger of Allah (¥) excluded everything else.

The reporter said, “May Allah lead you to ever more righteousness! We have other grains.”

“Which ones?” the Imam (‘a) asked.

“Rice,” answered the reporter.

“Yes,” the Imam (‘a) commented, “there is much.”

“Is it subjected to *zak¡t*?” the reporter asked.

The Imam (‘a) reproached him and said:

أَقُولُ لَكَ إِنَّ رَسُولَ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، عَفَا عَمَّا سِوَى ذَلِكَ، وَتَقُولُ: إِنَّ عِنْدَنَا حَبّاً كَثِيراً، أَفِيهِ الزَّكَاةُ؟

I have told you that the Messenger of Allah (¥) excluded everything else, yet you tell me that you have other grains and ask me whether they are subjected to *zakit* or not![1]

According to another authentically reported narration, Zur¡rah said that he was sitting with Imam al-B¡qir (‘a) and no one else was with the Imam except his son Ja`far (al-¯¡diq). At that time, the Imam (‘a) narrated to me:

يَا زُرَارَةُ، إِنَّ أَبَا ذَرٍّ وَعُثْمَانَ تَنَازَعَا عَلَى عَهْدِ رَسُولِ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ،

O Zurirah, during the lifetime of the Messenger of Allah (¥), Ab£-Dharr and `Uthmin disagreed about a question. `Uthmin said, “Every item of finance, be it gold

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:36, H. 12.

فَقَالَ عُثْمَانُ: كُلُّ مَالٍ مِنْ ذَهَبٍ أَوْ فِضَّةٍ يُدَارُ بِهِ وَيُعْمَلُ بِهِ وَيُتَّجَرُ بِهِ فَفِيهِ الزَّكَاةُ إِذَا حَالَ عَلَيْهِ الْحَوْلُ. فَقَالَ أَبُو ذَرٍّ: أَمَّا مَا يُتَّجَرُ بِهِ أَوْ دِيرَ وَعُمِلَ بِهِ فَلَيْسَ فِيهِ زَكَاةٌ؛ إِنَّمَا الزَّكَاةُ فِيهِ إِذَا كَانَ رِكَازاً كَنْزاً مَوْضُوعاً، فَإِذَا حَالَ عَلَيْهِ الْحَوْلُ فَفِيهِ الزَّكَاةُ. فَاخْتَصَمَا فِي ذَلِكَ إِلَى رَسُولِ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، فَقَالَ: الْقَوْلُ مَا قَالَ أَبُو ذَرٍّ.

or silver, that is used in one's business, trade and profession is subjected to *zakit* after the passage of a complete year (of earnings)." Ab£-Dharr said, however, "Assets that are used in one's business, trade, and profession are not subjected to *zakit*. *Zakit* is paid only from assets that are stored or saved like treasure. Hence, when a year passes, such assets become subject to *zakit*." They then presented the matter before the Messenger of Allah (¥) who said, "Ab£-Dharr's opinion is correct."

Ab£-`Abdull¡h al-¯¡diq ('a) said to his father, "If this narration is announced, people will stop giving to the poor and needy. Do you want this?"

The Imam ('a) replied:

إِلَيْكَ عَنِّي! لاَ أَجِدُ مِنْهَا بُدّاً.

Stop this here! I have no other alternative.[1]

(b) The Islamic legislation with regard to finance decides

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:48, H. 1.

that *zak¡t* (in the sense of charity) is obligatory upon the wealthy who are thus required to satisfy and meet the needs of the poor. Almighty Allah, having introduced the nine aforementioned assets as obligatory charity, entrusted the mission of identifying the extent of these funds to the Guardians (*wal¢*) appointed by Him—the Holy Prophet (¥) and the Infallible Imams (‘a).

In the beginning of the formulation of Islamic law the Holy Prophet (¥), in his capacity as the guardian of Muslims, completely restricted this religious duty to nine items which were obligatorily subject to *zak¡t*, and he exempted all others because the interests of Muslims at that stage required such and also because this amount of *zak¡t* could achieve the purpose behind its legislation.

However, it is acceptable for a succeeding Guardian, alone or with the participation of others, to subject other finances to this religious tax in the light of the supreme interest of Islam or in order to make sure that the purpose of establishing the law of paying *zak¡t* is achieved. Unfortunately, the origin of this law has been confused with other types of local authoritarian legislation[1] by both jurisprudents of the Ahl al-Bayt (‘a) school and the other Muslim schools. However, it is worth mentioning that exercise of this political authority is quite clearly entrusted

1- ‘Local authoritarian legislation’ (*al-tashr¢`¡t al-sul§¡niyyah al-wil¡'iyyah*) stand for laws and regulations that are enacted by the political authority or ruler as the guardian of Muslims to organize the social lives of Muslims. By virtue of the authority vested in him, the ruler implements the universal laws originally enacted by religious legislation and uses the latitude that is given by the Holy Legislator for the guardian to make decisions with the supreme interests of religion in mind. All such authority must be exercised within the framework of the general goals of legislation.

to the Holy Imams of the Ahl al-Bayt (‘a).

Zur¡rah and Mu¦ammad ibn Muslim have reported Imam al-¯¡diq (‘a) as saying:

إِنَّ اللهَ، عَزَّ وَجَلَّ، فَرَضَ لِلْفُقَرَاءِ فِي مَالِ الأَغْنِيَاءِ مَا يَسَعُهُمْ، وَلَوْ عَلِمَ أَنَّ ذَلِكَ لاَ يَسَعُهُمْ لَزَادَهُمْ. إِنَّهُمْ لَمْ يُؤْتَوْا مِنْ قِبَلِ فَرِيضَةِ اللهِ عَزَّ وَجَلَّ، وَلَكِنْ أُوتُوا مِنْ مَنْعِ مَنْ مَنَعَهُمْ حَقَّهُمْ لاَ مِمَّا فَرَضَ اللهُ لَهُمْ، وَلَوْ أَنَّ النَّاسَ أَدَّوْا حُقُوقَهُمْ لَكَانُوا عَايِشِينَ بِخَيْرٍ.

Verily, Almighty Allah has ordained a sufficient share for the poor to be taken from the assets of the wealthy that meets all their needs. If He had known that this determined share would not meet the needs of the poor, He would certainly have added to it. People have not remained poor because of a duty that Almighty Allah has prescribed or because of the share that Almighty Allah has determined for them but because they have been deprived of what was due to them. Had people given the poor their due, they would certainly have lived in welfare.[1]

`Al¢ ibn Mahziy¡r has reported that Imam al-Ri¤¡ (‘a) wrote the following statement in a letter he sent to `Abdull¡h ibn Mu¦ammad:

Zakit is levied from everything that can be measured by ¥i`.[2]

الزَّكَاةُ عَلَى كَيْلِ مَا كِيلَ بِالصَّاعِ.

So, that is what `Abdull¡h recorded.

Another man has reported that he once asked Imam al-¯¡diq (‘a) about *zak¡t* on grains. “What kind of grain do you

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:3, H. 2.
2- ¯¡` is a unit of mass or weight, usually used for grains; one ¥¡` is equal to approximately three kilograms.

mean?" the Imam (‘a) asked.

"They are sesame, rice, and millet," the man answered, "and these are all grains, just like wheat and barley."

The Imam (‘a) responded:

فِـــي الْـحُبُـــوبِ كُـلِّهَـــا زَكَـاةٌ .

All grains are subject to *zakit*.

Imam al-¯¡diq (‘a) is also reported to have answered the question of someone, saying:

مَـا دَخَلَ الْـقَفِـيـزَ فَـهُـوَ يَـجْرِي مَـجْـرَى الْـحِـنْطَـةِ وَ الـشَّـــعِـيـرِ وَ الـتَّـمْـــرِ وَ الـزَّبِـيـبِ.

Whatever is measured by qaf¢z[1] is treated just like wheat, barley, dates, and raisins.

The questioner continued, "May Allah accept me as ransom for you! Please tell me whether rice and its likes, such as chick-pea and lentils are subject to *zak¡t* or not?"

The Imam (‘a) answered in writing:

الـزَّكَـاةُ فِـي كُـلِّ شَيْءٍ كِـيـلَ.

Everything that is measured is subject to *zakit*.[2]

Zur¡rah has reported that he asked Imam al-¯¡diq (‘a) whether corn is subject to *zak¡t* or not, and the Imam (‘a) answered:

الـذُّرَّةُ وَ الْـعَـدَسُ وَ الـسِّـلْتُ وَ الْـحُبُـوبُ فِـيـهَـا مِـثْـلُ مَـا فِـي الْـحِـنْطَـةِ وَ الـشَّـعِـيـرِ،

Corn, lentils, shelled barley, and all cereals are subject to *zakit* just like wheat and barley. Everything that is

1- Qaf¢z is a unit of weight. Its value differs in each country; however, one qaf¢z is equal to approximately 26064 grams.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:39, H. 1.

وَكُلُّ مَا كِيلَ بِالصَّاعِ فَبَلَغَ الأَوْسَاقَ الَّتِي يَجِبُ فِيهَا الزَّكَاةُ فَعَلَيْهِ فِيهِ الزَّكَاةُ.

measured by ¥i` and amounts to wasqs[1] that are subject to *zakit*, is subject to this tax.[2]

Ab£-Ba¥¢r has reported that he asked Imam al-¯¡diq (‘a) whether rice is subject to *zak¡t*, and the Imam (‘a) answered affirmatively and then added:

إِنَّ الْمَدِينَةَ لَمْ تَكُنْ يَوْمَئِذٍ أَرْضَ أُرُزٍّ فَيُقَالُ فِيهِ، وَلَكِنَّهُ قَدْ جُعِلَ فِيهِ. وَكَيْفَ لاَ يَكُونُ فِيهِ وَعَامَّةُ خَرَاجِ الْعِرَاقِ مِنْهُ؟

Because there were no rice farms in al-Mad¢nah at that time (of legislation), nothing was mentioned about its taxation. Nevertheless, rice was included in the taxable grains. How could it be excluded when the majority of the taxes of Iraq are levied from rice?[3]

Sum¡`ah has reported that he asked the Imam (‘a) whether the working partner must pay *zak¡t* on assets used in a partnership.

The Imam (‘a) answered:

يَنْبَغِي لَهُ أَنْ يَقُولَ لِأَصْحَابِ الْمَالِ: زَكُّوهُ. فَإِنْ قَالُوا: إِنَّا نُزَكِّيهِ، فَلَيْسَ عَلَيْهِ غَيْرُ ذَلِكَ. وَإِنْ هُمْ أَمَرُوهُ بِأَنْ يُزَكِّيَهُ

A working partner in a partnership who does the business with the money of the other partners is required to advise the owner of the money to pay the *zakit* of the money. If the owners say that they have done so, then he is not required to do more, but if they order him to pay the *zakit*, then he

1- 1 wasq = 60 ¥¡`s.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:41, H. 10.
3- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:41, H. 11.

is required to do so. فَلْيَفْعَلْ.

The reporter further asked, "What if the owner of the money claims that he is paying the *zak¡t* of the money, while the other party knows for sure that he (i.e. the owner) is not?"

The Imam (ʻa) answered:

If the owner of the money declares that he is paying the *zakit* of the money, the other partner is not required to do more than that; however, if the owner professes that he is not paying the *zakit*, then the working partner must not accept that money and must not do business with it until the partner pays the *zakit*.[1]

إِذَا هُمْ أَقَرُّوا بِأَنَّهُمْ يُزَكُّونَهُ، فَلَيْسَ عَلَيْهِ غَيْرُ ذَلِكَ. وَإِنْ هُمْ قَالُوا: إِنَّا لاَ نُزَكِّيهِ، فَلاَ يَنْبَغِي لَهُ أَنْ يَقْبَلَ ذَلِكَ الْمَالَ وَلاَ يَعْمَلَ بِهِ حَتَّى يُزَكِّيَهُ.

Mu¦ammad ibn Muslim has reported that he asked Imam al-¯¡diq (ʻa) when *zak¡t* must be paid in the case of a person who bought goods with money for which *zak¡t* had been paid, and later the goods remained unsold.

The Imam (ʻa) answered:

If the man withheld the goods in order to recuperate his capital, the goods are not taxable, but if he withheld the goods after he had recuperated his capital, then this money becomes subject to *zakit* for withholding it after regaining his capital.

إِنْ كَانَ أَمْسَكَ مَتَاعَهُ يَبْتَغِي بِهِ رَأْسَ مَالِهِ فَلَيْسَ عَلَيْهِ زَكَاةٌ، وَإِنْ كَانَ حَبِسَهُ بَعْدَ مَا يَجِدُ رَأْسَ مَالِهِ فَعَلَيْهِ الزَّكَاةُ بَعْدَ مَا أَمْسَكَهُ بَعْدَ رَأْسِ

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:50, H. 1.

الْـمَـالِ.

The reporter further asked, "If one is given money to do business, is this money subject to *zak¡t*?"

The Imam (ʻa) answered:

إِذَا حَـــالَ الْـحَـــوْلُ، فَـلْـيُـزَكِّـهَـا. After the passage of a complete year, he must pay its *zakit*.[1]

Usage of the money of zak¡t

As for categories that are entitled to the money of *zak¡t*, the Ahl al-Bayt (ʻa) confirmed that these are exclusively the eight categories mentioned in verse 60 of S£rah al-Tawbah (*Surah* 9). However, it is not obligatory to include all these eight categories when paying the money of *zak¡t*; rather, it is acceptable to restrict payment to one or more category. The religious authority who supervises the distribution of *zak¡t* decides the details of this issue. Apart from some minor details, this issue is unanimously agreed upon by all Muslims.

Additionally, the Ahl al-Bayt (ʻa) instructed their Sh¢`ah to distribute the money of *zak¡t* to the individuals of the virtuous community restrictedly, where possible. This instruction was made as a result of the Ahl al-Bayt's understanding of the nature of needs imposed upon the virtuous community which was besieged economically and politically. Consequently, the individuals of this community had become the worthiest to receive the money of *zak¡t* because of being exposed to various sorts of pressures that caused their deprivation, especially considering the fact that the majority of the *zak¡t* money went to the ruling authorities and nothing of it was

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:46, H. 3.

kept at the disposal of individuals except a very small amount that could be excluded from the tax itself. In addition, the individuals of the virtuous community deserve the money of *zak¡t* as much as other Muslims. Accordingly, it was necessary to compensate the virtuous community for the deprivation caused them by the rulers because of their adherence to the doctrine of the Ahl al-Bayt (‘a). Hence, these funds were restricted to these individuals.

It is not improbable that this very idea has been intended in the authentic report of Zur¡rah and Mu¦ammad ibn Muslim, which has been cited by the three master scholars—Shaykh al-Kulayn¢, Shaykh al-¯ad£q, and Shaykh al-±£s¢.

Zur¡rah and Mu¦ammad ibn Muslim report that they asked Imam al-¯¡diq (‘a) about Almighty Allah’s saying: ‘The alms are only for the poor, the needy, those who collect them, to influence hearts (to belief), to free captives and debtors, for the cause of Allah, and for the wayfarer—a duty imposed by Allah. Allah is Knower, Wise.’ (9:60)

They asked whether the categories entitled to the funds of *zak¡t* included those who do not recognize (the divinely commissioned loyalty to the Ahl al-Bayt (‘a)).

The Imam (‘a) answered:

إِنَّ الإِمَامَ يُعْطِي هَؤُلاَءِ جَمِيعاً لأَنَّهُمْ يُقِرُّونَ لَهُ بِالطَّاعَةِ.

The Imam gives to all these categories only because they recognize obedience to him.

Zur¡rah asked, “What if they do not recognize him?”

The Imam (‘a) answered:

يَا زُرَارَةُ، لَوْ كَانَ يُعْطِي مَنْ يَعْرِفُ دُونَ مَنْ لاَ يَعْرِفُ لَمْ يُوجَدْ

O Zurirah, if the Imam gives only to those who recognize (loyalty to him) and deprives those who do not, then these funds will not find people to receive them! The Imam

لَـهَـا مَـوْضِعٌ؛ وَ إِنَّـمَـا يُـعْطَى مَـنْ لاَ يَـعْرِفُ لِـيُـرَغَّبَ فِـي الـدِّيـنِ فَـيَـثْـبُـتُ عَـلَـيْـهِ. فَـأَمَّـا الْـيَـوْمَ فَـلاَ تُـعْطِهَـا أَنْـتَ وَ أَصْحَـابُـكَ إِلاَّ مَـنْ يَـعْـرِفُ، فَـمَـنْ وَجَـدْتَ مِـنْ هَـؤُلاَءِ الْـمُـسْـلِـمِـيـنَ عَـارِفـاً فَـأَعْطِهِ دُونَ الـنَّـاسِ. سَـهْـمُ الْـمُـؤَلَّـفَـةِ قُـلُـوبُـهُـمْ وَسَـهْـمُ الـرِّقَـابِ عَـامٌّ، وَ الْـبَـاقِـي خَـاصٌّ.

gives also to those who do not recognize (loyalty to him) so as to attract them to this faith and so that they embrace it firmly. However, you and your acquaintances should give only to those who recognize. Hence, if you find such people among Muslims, you may give them rather than others. The shares of those whose hearts have inclined towards the truth (al-mu'allafah qul£buhum) and the share for the ransoming of captives (al-riqib) are common, while the other shares are restricted.

Zur¡rah asked, "What if we cannot find any of the mentioned groups?"

The Imam answered:

لاَ يَـكُـونُ فَـرِيـضَـةٌ فَـرَضَـهَـا اللهُ، عَـزَّ وَجَـلَّ، وَلاَ يُـوجَـدُ لَـهَـا أَهْـلٌ.

Any duty that Almighty Allah has made incumbent must be practicable and there must be deserving individuals.

Zur¡rah asked, "What if the charity (of *zak¡t*) is not sufficient to cover the needs of recipients?"

The Imam's answer is already cited on p. 31.

Rooted in this concept, the Ahl al-Bayt ('a) instituted an economic directive that dealt with some of the needs of the individuals of the virtuous community. This directive bound the wealthy individuals of this community to pay *zak¡t* to the poor individuals of their community

exclusively and defined the distribution of these funds.

Ism¡`¢l ibn Sa`d al-Ash`ar¢ has reported that he asked Imam al-Ri¤¡ (‘a), “Is it possible to distribute *zak¡t* funds to those who do not recognize (loyalty to the Ahl al-Bayt)?”

The Imam (‘a) answered:

Neither *zakit* funds nor *zakit* al-fi§rah[1] (can be distributed to them).[2]

لاَ، وَلاَ زَكَاةُ الْفِطْرَةِ.

®urays has reported that al-Mad¡’in¢ asked Imam al-B¡qir (‘a), “There is a portion of the *zak¡t* that we pay from our money. Who should we give it to?”

The Imam answered:

Give it to the people of your faith.

فِي أَهْلِ وِلاَيَتِكَ.

Al-Mad¡'in¢ said, “I am living in a country where no one of my faith lives.”

The Imam (‘a) instructed:

You may send these funds to a country where people of your faith live. Do not pay them to people who will not respond to you if you call them to your faith and may even slay you![3]

إِبْعَثْ بِهَا إِلَى بَلَدِهِمْ تُدْفَعُ إِلَيْهِمْ، وَلاَ تَدْفَعْهَا إِلَى قَوْمٍ إِذَا دَعَوْتَهُمْ غَداً إِلَى أَمْرِكَ لَمْ يُجِيبُوكَ، وَكَانَ وَاللهِ الذَّبْحُ.

To reconcile these traditions with the previously cited

1- Zak¡t al-fi§rah is a payment given after the termination of the obligatory fasting in Rama¤¡n, with certain conditions and regulations.

2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:152, H. 1.

3- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:152, H. 3.

report of Zur¡rah and Mu¦ammad ibn Muslim, it seems that this special and restricted instruction was a local decision that the Ahl al-Bayt (‘a) took on the strength of their recognition of the common interests of the virtuous community within their surroundings but not a law that is found in original Islamic legislation. However, Almighty Allah knows best.

At the same time, this decision stands for a policy that must be observed at all times according to the general rule of “the nearer, the worthier.”

Nevertheless, there are some exceptions, as shown in the following tradition:

Ya`q£b ibn Shu`ayb al-°add¡d has reported that he asked the Righteous Servant (i.e. Imam al-K¡¨im (‘a)), “What should one of our creed who lives in a remote region do with the funds of the *zak¡t* that he must pay?”

The Imam (‘a) answered:

يَضَعُهَا فِي إِخْوَانِهِ وَ أَهْلِ وِلاَيَتِهِ.

He must distribute them on his brethren-in-faith and followers of his belief.

The reporter asked, “What if he cannot find such people?”

The Imam (‘a) answered:

يَبْعَثُ بِهَا إِلَيْهِمْ.

He may send them the funds.

The reporter asked, “What if he cannot find any means to transfer these funds to them?”

The Imam (‘a) answered:

يَدْفَعُهَا إِلَى مَنْ لاَ يَنْصِبُ.

He may then distribute the funds among those known for bearing no hostility (against the Ahl al-Bayt).

The reporter asked, “What if these cannot be found either? Should he pay others?”

The Imam (‘a) answered:

The others’ share is nothing but stones![1] مَـا لِـغَـيْـرِهِمْ إلاَّ الْـحَجَرُ.

`Ubayd ibn Zur¡rah has reported that he asked Imam al-¯¡diq (‘a), “A man of our faith paid the *zak¡t* funds to unworthy people for a considerable time, but later he found worthy recipients. Should he again pay the former funds to the worthy people?”

The Imam (‘a) answered:

“Yes, he should.”

The reporter asked, “What if a person had not found worthy recipients and, therefore, had not paid *zak¡t*, or he had not known that it was obligatory upon him to pay but came to know recently?”

The Imam (‘a) answered:

He must pay all the previous to worthy people. يُـؤَدِّيـهَـا إلَـى أَهْـلِـهَـا لِـمَـا مَـضَـى.

The reporter asked, “What if he could not find worthy people and paid his *zak¡t* to unworthy people, but after investigation he concluded that he was wrong (about them being unworthy)?”

The Imam (‘a) answered:

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:153, H. 7.

In this case, he is not liable to pay it once more.[1]

لَـيْسَ عَـلَـيْـهِ أَنْ يُـؤَدِّيَـهَـا مَـرَّةً أُخْـرَى.

In the light of these traditions, we can conclude that this procedure is one of the clear-cut distinguishing attitudes of the Ahl al-Bayt (‘a) on the issue of *zak¡t*—an attitude that ensures the virtuous community an important financial resource.

Supervision of zak¡t funds

In accordance with the procedures of the Islamic state, supervision of the *zak¡t* funds was done by the Muslim ruler.[2] It is not improbable that this was enacted in the original Islamic legislation, since the supervision of the *zak¡t* funds entails giving the poor a part of the fortunes of the rich, transferring these funds to their beneficiaries or spending them in doctrinally defined fields; therefore, it must be carried out by the ruler of the Islamic state who collects these taxes, just as the Holy Prophet (¥) and the caliphs used to do.

The problem is that the majority of so-called Islamic governments throughout history have been illegitimate and, according to the Ahl al-Bayt (‘a), not suited to supervise

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:147, H. 1.

2- According to reference books on local laws of Islam, there is a difference between funds designated as ‘visible funds’ which include produce and livestock, and those classified as ‘invisible funds’ such as savings, business investments, and the like. Supervision over visible funds is delegated to the Muslim ruler while payment of invisible funds is the responsibility of the payer of *zak¡t*. (Refer to Ab£-Ya`l¢ al-Farr¡' the °anbalite scholar, *al-A¦k¡m al-Sul§¡niyyah*, pp. 115; al-M¡ward¢, *al-A¦k¡m al-Sul§¡niyyah*, pp. 113)

the *zak¡t* funds for reasons too numerous to be mentioned in this discussion.[1]
Consequently, the followers of the Ahl al-Bayt (‘a) encountered a problem:

The illegitimate ruling authorities would collect the *zak¡t* and not leave the option for the payers to distribute it themselves to worthy recipients. The followers of the Ahl al-Bayt (‘a) were not sure as to whether it was correct or not to pay their *zak¡t* to these unjust ruling authorities. If this payment were mandatory but at the same time would not discharge the religious responsibility, would it then be obligatory to pay these taxes once more (putting additional economic pressure on the virtuous community)?

To remove this legal problem, the Ahl al-Bayt (‘a) offered the following solution:

They advised their followers not to pay the governmental tax collectors to the extent possible so that they could carry out their religious duty themselves with the remaining amount. In the event that they could not escape payment because of political or social circumstances (the necessity to practice *taqiyyah*), they were permitted to pay it to the governmental officials.

The Ahl al-Bayt (‘a) delegated the assessment of the situations to the owners of the taxable funds and determined that payment under such circumstances would fulfill the religious responsibility of the payers, justifying this action with the concept that although such governments might be unqualified for supervision of religious taxes, they are still Muslims. In addition, the Ahl al-Bayt (‘a) wanted

1- This topic will be discussed in the coming book of Imamate and Religious Authority.

the virtuous community to associate and coexist under this Islamic rule within the Muslim society lest they, in the case that they refrain from defraying the *zak¡t* funds to the government tax collectors, become exposed to additional political or economic pressure—which they certainly did not want.

In a set of traditions, this solution has been discussed and explained.

According to the authentic report of Ya`q£b ibn Shu`ayb, which has been recorded by Shaykh al-Kulayn¢, in *al-K¡f¢*, and Shaykh al-¯ad£q, in *man-l¡-ya¦¤uruhu'l-faq¢h*, the reporter asked Imam al-¯¡diq (‘a) whether *`ush£r* tithes[1] that are taken as taxes are or are not accounted as *zak¡t*.

The Imam (‘a) answered:

“They are so accounted, God willing.”

According to another authentic narration of al-`Ay¥ ibn al-Q¡sim that is reported by Shaykh al-Kulayn¢, in *al-K¡f¢*, and Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m* and *al-Istib¥¡r*, Imam al-¯¡diq (‘a) said the following about the *zak¡t* tax:

مَا أَخَذُوا مِنْكُمْ، بَنُو أُمَيَّةَ، فَاحْتَسِبُوا بِهَا وَلاَ تُعْطُوهُمْ شَيْئاً مَا إِسْتَطَعْتُمْ، فَإِنَّ الْمَالَ لاَ يَبْقَى عَلَى هَذَا أَنْ يُزَكِّيَهُ مَرَّتَيْنِ.

As for anything that is taken from you (as *zakit*) by the ruling authorities of the Umayyads, you may account it as *zakit*. However, try to give them as little as you can. It is not feasible to pay *zakit* for the same money twice.

1- *`ush£r* is the proportion of *zak¡t* on produce. This word may also be used as *zak¡t* in general.

According another authentic report of Sulaym¡n ibn Kh¡lid that is also reported by Shaykh al-Kulayn¢, in *al-K¡f¢*, and Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m* and *al-Istib¥¡r*, Imam al-¯¡diq (ʿa) said:

إِنَّ أَصْحَابَ أَبِي أَتَوْهُ فَسَأَلُوهُ عَمَّا يَأْخُذُ السُّلْطَانُ، فَرَقَّ لَهُمْ، وَإِنَّهُ لَيَعْلَمُ أَنَّ الزَّكَاةَ لاَ تَحِلُّ إِلاَّ لأَهْلِهَا، فَأَمَرَهُمْ أَنْ يَحْتَسِبُوا بِهِ، فَجَالَ فِكْرِي، وَاللهِ، لَهُمْ، فَقُلْتُ لَهُ: يَا أَبَهِ، إِنَّهُمْ إِنْ سَمِعُوا إِذاً لَمْ يُزَكِّ أَحَدٌ. فَقَالَ: يَا بُنَيَّ، حَقٌّ أَحَبَّ اللهُ أَنْ يُظْهِرَهُ.

His companions came to my father and queried about the taxes that were being levied by the ruling authorities. My father sympathized with them even though he knew that *zakit* was illegitimate if not paid to worthy beneficiaries. Still, he ordered them to account it as their *zakit*. I thought considerably about the question for their sake and then said to my father, “If they hear this ruling, none will give alms (or pay *zakit*).” My father replied, “Son, this is a right that Almighty Allah likes to make manifest.”[1]

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:173-174, H. 1, 3, 4.

DERELICT LANDS

Derelict lands[1] are uncultivated and uninhabitable lands forsaken because of a dearth of water, waterlogging, salinity, dense brush, or any natural barrier to benefit.

The Im¡miyyah Sh¢`ah scholars believe that such lands are basically owned by the Imam of each age because they are *anf¡l* (windfalls), which have been specified in the following holy verse as being owned by Almighty Allah and the Holy Prophet (¥):

They ask you about windfalls (anfil). Say: Windfalls are for Allah and the Messenger. So be careful of (your duty to) Allah and set aright matters of difference among yourselves, and obey Allah and His Messenger if you are believers. (8:1)

ﭐ ﭑ ﭒ ﭓ ﭔ ﭕ ﭖ ﭗ ﭘ ﭙ ﭚ ﭛ ﭜ ﭝ ﭞ ﭟ ﭠ ﭡ ﭢ ﭣ ﭤ ﭥ ﭦ ﭧ ﭨ ﭩ ﭪ ﭫ ﭬ ﭭ ﭮ ﭯ ﭰ ﭱ ﭲ ﭳ

The Imam, being the legal successor of the Holy Prophet (¥) and his representative, enjoys all his rights of leadership

1- As has been previously indicated, we do not aim at discussing this topic (usually mentioned with *zak¡t*) from a jurisprudential aspect and will not cite the specific points of evidence representing the various opinions here; rather, we only intend to display the general opinions in order to discuss the relationship between this topic and economic issues from the viewpoint of the Holy Imams of the Ahl al-Bayt (‘a) and the virtuous community.

and supervision. Many traditions, some of which have openly declared the Imam's ownership of such properties (*anf¡l*), indicate this ownership. For instance, in an authentic narration that is reported by Shaykh al-Kulayn¢, in *U¥£l al-K¡f¢*, °afs ibn al-Bu¦tar¢ reports Imam al-¯¡diq (`a) as saying:

الأَنْفَالُ مَا لَمْ يُوجَفْ عَلَيْهِ بِخَيْلٍ وَلاَ رِكَابٍ، أَوْ قَوْمٌ صَالَحُوا، أَوْ قَوْمٌ أَعْطَوْا بِأَيْدِيهِمْ، وَكُلُّ أَرْضٍ خَرِبَةٍ وَبُطُونُ الأَوْدِيَةِ فَهُوَ لِرَسُولِ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، وَهُوَ لِلإِمَامِ مِنْ بَعْدِهِ يَضَعُهُ حَيْثُ يَشَاءُ.

Windfalls (*anfil* properties) include estates towards which neither horse nor riding camel are pressed forward,[1] estates that are gained due to reconciliation or gift, any useless land, and the bottoms of valleys—all these are owned by the Holy Prophet (¥) and then by the Imam, who has the right to use them as he determines.[2]

In *Tahdh¢b al-A¦k¡m*, Shaykh al-±£s¢ has reported Mu¦ammad ibn Muslim to have said that he heard Imam al-B¡qir (`a) saying:

الْفَيْءُ وَالأَنْفَالُ

The *fay'* and *anfil* are lands which have been seized without

1- This is an indication of the following verse of the Holy Qur'¡n:

ڤ ڤ ڦ ڦ ڄ ڄ ڄ ڄ ڃ ڃ ڃ ڃ چ چ چ چ ڇ ڇ ڇ ڇ ڍ ڍ ڌ ڌ ڎ ڎ

And whatever Allah restored to His Messenger from them you did not send forward towards it any horse or riding camel but Allah gives authority to His messengers against whom He pleases, and Allah has power over all things. (59:6)

2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:364, H. 1.

مَا كَانَ مِنْ أَرْضٍ لَمْ يَكُنْ فِيهَا هَرَاقَةُ الدِّمَاءِ، وَقَوْمٌ صُولِحُوا وَأَعْطَوْا بِأَيْدِيهِمْ، وَمَا كَانَ مِنْ أَرْضٍ خَرِبَةٍ أَوْ بُطُونِ أَوْدِيَةٍ فَهُوَ كُلُّهُ مِنَ الْفَيْءِ. فَهَذَا لِلّه وَلِرَسُولِهِ، فَمَا كَانَ لِلّه فَهُوَ لِرَسُولِهِ يَضَعُهُ حَيْثُ شَاءَ، وَهُوَ لِلإِمَامِ بَعْدَ الرَّسُولِ.

bloodshed, lands given as gifts due to a reconciliation contract with their owners, all useless lands, and valley floors—all these are regarded as *fay'* properties and they are owned by Almighty Allah and His Messenger (¥). The Messenger (¥) has the right to do whatever he wills with properties that are owned by Almighty Allah. After the Messenger (¥), the Imam has the right to make use of these properties.[1]

Generally, Muslim jurisprudents have determined such derelict lands to be legitimate for common use, just like the water of rivers and oceans, fish, birds and sand that can be owned privately only by means of control or seizure.

For that reason, the followers of the Ahl al-Bayt (‘a), who represent the virtuous community, had to face a real problem concerning their economic activities in this vital and important field. When they wanted to invest time in or make use of a derelict land, the ruling authorities did not interfere because the authorities had no reason to ban processes of utility and investment in these lands since they themselves considered them to be legitimate for common use. However, the followers of the Ahl al-Bayt (‘a) faced a problem related to the religious ruling regarding use of such lands which the Ahl al-Bayt (‘a) included with *anfāl* properties that are legitimately owned by the Imam;

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:368, H. 12.

therefore, to invest in or use such lands required permission of the Imam.

However, this matter has been solved and such permission, which seems to be local (i.e. restricted) permission, was declared by the Holy Prophet (¥) not disregarding the fact that such lands are before all else owned by the Imam. Following the course adopted by the Holy Prophet (¥) the Holy Imams (‘a) also gave their followers and other Muslims permission to develop these lands.

In his book of *Tahdh¢b al-A¦k¡m*, Shaykh al-±£s¢, through an authentic chain of authority, has reported Imam al-B¡qir (‘a) as saying:

أَيُّمَا قَوْمٍ أَحْيَوْا شَيْئاً مِنَ الأَرْضِ أَوْ عَمَرُوهَا فَهُمْ أَحَقُّ بِهَا.

Any people who cultivate or improve any area of land are the worthiest to own it.[1]

According to another authentic tradition, Shaykh al-Kulayn¢, in *al-K¡f¢*, and Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m* and *al-Istib¥¡r*, have also reported Imam al-B¡qir (‘a) and Imam al-¯¡diq (‘a) as quoting the Holy Prophet (¥) to have said:

مَنْ أَحْيَا أَرْضاً مَوَاتاً فَهِيَ لَهُ.

Whoever cultivates a derelict land possesses it.[2]

Scholars of the Ahl al-Bayt (‘a) school, however, have disagreed about the significance of this permission. According to the opinion of some Sh¢`ite scholars, this permission entails that investment in or cultivation of an area of land results in the investor or the cultivator owning that land. Other scholars have argued that this broad

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 17:326, H. 3.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 17:327, H. 5.

permission gives the investor or the cultivator a right to use that land, but the ownership of the land is still in the hand of the Imam.[1] The following authentic tradition, which has been reported by Shaykh al-±£s¢ in *Tahdh¢b al-A¦k¡m* and Shaykh al-Kulayn¢ in *al-K¡f¢*, supports the latter opinion:

`Umar ibn Yaz¢d has reported that Musmi` ibn `Abd al-Malik delivered some money to Imam al-¯¡diq (‘a) but the Imam refused to accept it from him. I met Musmi`, at al-Mad¢nah, and asked him the reason. He narrated:

During my meeting with him, I said to the Imam (‘a), “In Bahrain, I worked as a diver and extracted items from the sea worth four hundred thousand dirhams. As a consequence, I have brought eighty thousand dirhams as the *Khums* (one-fifth tax) of my gain. I do not wish to withhold this amount from you; therefore, I am offering it to you because it is your right that Almighty Allah has made obligatory from our wealth.”

The Imam (‘a) answered:

أَوَمَا لَنَا مِنَ الأَرْضِ
وَمَا أَخْرَجَ اللهُ مِنْهَا
إِلاَّ الْخُمْسُ، يَا أَبَا
سَيَّارٍ؟ إِنَّ الأَرْضَ
كُلَّهَا لَنَا، فَمَا
أَخْرَجَ اللهُ مِنْهَا مِنْ
شَيْءٍ فَهُوَ لَنَا.

Ab£-Sayyir, is our share from our lands and their extracts only one-fifth? Verily, the entire land is ours and whatever thing that Almighty Allah allows to be extracted from it is also ours.

I said, “I have the entire amount with me and I offer it to you.”

The Imam (‘a) replied:

1- Refer to Martyr Ayatollah Mu¦ammad B¡qir al-¯adr, *Iqti¥¡dun¡* (Our Economy), 2:744, Appendix IV.

يَا أَبَا سَيَّارٍ، قَدْ طَيَّبْنَاهُ لَكَ وَأَحْلَلْنَاكَ مِنْهُ، فَضُمَّ إِلَيْكَ مَالَكَ. وَكُلُّ مَا فِي أَيْدِي شِيعَتِنَا مِنَ الأَرْضِ فَهُمْ فِيهِ مُحَلَّلُونَ حَتَّى يَقُومَ قَائِمُنَا فَيَجْبِيهِمْ طَسْقَ مَا كَانَ فِي أَيْدِيهِمْ، وَيَتْرُكَ الأَرْضَ فِي أَيْدِينَا. وَأَمَّا مَا كَانَ فِي أَيْدِي غَيْرِهِمْ فَإِنَّ كَسْبَهُمْ مِنَ الأَرْضِ حَرَامٌ عَلَيْهِمْ حَتَّى يَقُومَ قَائِمُنَا، فَيَأْخُذَ الأَرْضَ مِنْ أَيْدِيهِمْ وَيُخْرِجَهُمْ صَغَرَةً.

Ab£-Sayyir, I now declare our property as valid and legitimate for you. You can now add it to your money. Everything from the lands that is obtained by our Sh¢`ah is lawful to them to own until the uprising of the Rising Imam (the Mahdi). He will then levy from them land tributes and leave the lands at their disposal. As for others (i.e. non-Sh¢`ah), all that which is possessed by them and all their gains therefrom are illegitimate up to the uprising of our Rising Imam. He will then take these lands from them and dismiss them with humiliation (empty-handed).[1]

1- Shaykh al-Kulayn¢, *al-K¡f¢* 1:408, H. 3.

ANNEXED LANDS

Annexed lands are cultivated lands owned by polytheists or Scripturists that Muslims had seized through conquests, or lands that were cultivated or mortmained by the Islamic state for the common interests of Muslims.

Islamic authorities would treat such lands as being possessed by all Muslims and managed by the Islamic state. These lands were often developed by Scripturists or others who converted to Islam afterwards. They would pay tributes to the Islamic state on such lands that were either definite amounts of money called *khar¡j* (land tribute) or a percentage of the yields. The Islamic government would distribute this tribute for the welfare of Muslims.

As previously cited, during the first period of Islam, after 11 A.H, a question concerning such lands was raised. Some believed that the lands should be distributed among the warriors who participated in the conquest, while others adopted other opinions. The second caliph, with the help of Imam `Al¢ (‘a), solved the problem by deciding that all such lands should be owned by all Muslims, and this method was used for the lands of Iraq.[1]

1- This historical fact has been mentioned by some researchers, such as `Al¢ ibn Mu¦ammad al-M¡ward¢, in his book of *al-A¦k¡m al-Sul§¡niyyah* pp. 176. Although Sunni jurisprudents had various and diverse opinions about the question and its explanation, they ⇨

Thus, the Ahl al-Bayt's traditions on this issue correspond with this decision by which Muslim rulers abided.

In *Tahdh¢b al-A¦k¡m*, Shaykh al-±£s¢, through an authentic chain of authority, has reported that Mu¦ammad al-°alab¢ asked Imam al-¯¡diq ('a) about the ruling on the lands of Iraq. The Imam ('a) answered:

هُوَ لِجَمِيعِ الْمُسْلِمِينَ؛ لِمَنْ هُوَ الْيَوْمَ وَمَنْ يَدْخُلُ فِي الإِسْلاَمِ بَعْدَ الْيَوْمِ وَلِمَنْ لَمْ يُخْلَقْ بَعْدُ.

They are for all Muslims, including those who will convert to Islam in the future and Muslims who have not been born yet.

The reporter asked, "What is the ruling on purchasing lands from non-Arab chiefs of peasants?"

The Imam ('a) answered:

لاَ يَصْلُحُ إِلاَّ أَنْ يَشْتَرِيَ مِنْهُمْ عَلَى أَنْ يُصَيِّرَهَا لِلْمُسْلِمِينَ، فَإِنْ شَاءَ وَلِيُّ الأَمْرِ أَنْ يَأْخُذَهَا أَخَذَهَا.

It is illegal for anyone to do so unless those who purchase such lands dedicate them to all Muslims commonly. Then, the legal (religious) authority has the right to take them, if he wishes.

The reporter asked, "If the legal authority takes them, what should he give in compensation?"

The Imam ('a) answered:

يَرُدُّ إِلَيْهِ رَأْسَ مَالِهِ، وَلَهُ مَا أَكَلَ مِنْ غِلَّتِهَا

He (i.e. the legal authority) may give the purchaser back his capital and allow him (a share) in the yields that he produces in return

---

generally agreed on applying this decision to the lands of Iraq at least.

for his work.[1] بِـمَـا عَـمِـلَ.

There is no real problem in the issue of annexed lands except the question of whether payment to unjust rulers is or is not considered payment to the legal religious authority. As clarified by this tradition and the conduct of the companions of Holy Imams (‘a), such payment releases a person from religious liability. These lands were marked and recorded in the official records of the government of that time; therefore, it was inescapable to pay their tribute to the ruling authorities.

1- Shaykh al-±£s¢, *Tahdh¢b al-A¦k¡m* 7:147, S. Laws of Lands, H. 1.

PRIVATE AND PUBLIC AWQAF

Waqf[1] is considered vital in the Islamic economic concept, because it contributes fundamentally to the distribution of fortunes and prevents accumulation of wealth, on the one hand, and organizes spending of wealth by directing it towards the common interests of Muslims, on the other. Furthermore, *waqf* represents one of the *resources of common expenditure* of the Islamic state and nurtures its welfare programs for the poor and the needy.

Waqf was one of the common regulations or laws of Islam by which Muslims and the Islamic state abided. An endower of a *waqf* used to be granted authority to specify his/her private stipulations and direct the method of utility of that *waqf* in the most suitable way he/she might see fit.

Making use of this common Islamic financial resource to supply the virtuous community with financial aid, the Ahl al-Bayt (‘a) endowed many of their assets as *waqf*. Such charitable endowments have been reported from the Holy Prophet, Imam `Al¢, Lady F¡§imah, and the rest of the Holy Infallibles, peace be upon them, as an ongoing practice that history has left no Imam (‘a) without mentioning a number of his contributions of designating properties as *waqf*. More specifically, Imam `Al¢ Am¢r al-

1- An endowment made by a Muslim to a religious, educational, or charitable cause.

Mu'min¢n and Imam al-K¡¨im (‘a) are known for their vast activities in this field. This may be because these two Imams (‘a) had more opportunities than the other Infallibles (‘a) to do so.

Imam al-Ri¤¡ (‘a) has reported that the Holy Prophet (¥) endowed as *waqf* the Seven Walls (i.e. orchards); namely, *al-dal¡l, al-`aw¡f, al-¦usn¡, al-¥¡fiyah, m¡li-ummi-ibr¡h¢m, al-manbat,* and *Barqah*.[1]

Shar¢f al-Ra¤¢ has recorded in *Nahj al-Bal¡ghah* that Imam `Al¢ (‘a), immediately after the Battle of ¯iff¢n, endowed his property as *waqf* in a will.[2]

Imam Mu¦ammad al-B¡qir (‘a) is reported to have said that Lady F¡§imah al-Zahr¡' (‘a) endowed her property as *waqf* and made Imam `Al¢ (‘a) the custodian.[3]

Shaykh al-Kulayn¢, Shaykh al-¯ad£q, and Shaykh al-±£s¢ have reported a detailed precept on *waqf* from Imam M£s¡ al-K¡¨im (‘a).[4]

Having attracted attention to the significance of *waqf* in improving the financial conditions of the virtuous

---

1- Al-°imyar¢ al-Qumm¢, *Qurb al-Isn¡d*, pp. 363, H. 1301; `All¡mah al-Majlis¢, *Bi¦¡r al-Anw¡r* 103: 183, H. 10 as quoted from the previous reference book.
The Seven Walls were the heritage of the Holy Prophet (¥) who dedicated them to his daughter, Lady F¡§imah al-Zahra, as private *waqf.*

2- *Nahj al-Bal¡ghah*, Epistle No. 24. The same has been recorded by Shaykh al-Kulayn¢, in *Fur£` al-K¡f¢*, and Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, with further details.

3- Shaykh al-±£s¢, *Mi¥b¡¦ al-Anw¡r*, pp. 262; `All¡mah al-Majlis¢, *Bi¦¡r al-Anw¡r* 103:184-85, H. 13 as quoted from the previous reference book.

4- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 13:314, H. 5.

community, the Holy Imams of the Ahl al-Bayt (‘a) persuaded their followers to involve themselves in such charitable deeds in order to gain great rewards. In authentic traditions reported from them, *waqf* is connected to two matters of great importance in man’s life: **first**, true guidance and exemplary tradition and, **second**, a righteous son who benefits his parents and the people.

Hush¡m ibn S¡lim has reported Imam al-¯¡diq (‘a) as saying:

لَيْسَ يَتْبَعُ الرَّجُلَ بَعْدَ مَوْتِهِ مِنَ الأَجْرِ إِلاَّ ثَلاثُ خِصَالٍ: صَدَقَةٌ أَجْرَاهَا فِي حَيَاتِهِ فَهِيَ تَجْرِي بَعْدَ مَوْتِهِ، وَسُنَّةٌ هُدىً سَنَّهَا فَهِيَ يُعْمَلُ بِهَا بَعْدَ مَوْتِهِ، أَوْ وَلَدٌ صَالِحٌ يَدْعُو لَهُ.

Only three things reward man after his death: (1) a recurrent charitable deed that he established in his lifetime; thus, it continues after his death, (2) a course of true guidance that he established in his lifetime such that it is still activated after his death, and (3) a righteous son who prays for him.[1]

Mu`¡wiyah ibn `Amm¡r has reported that he asked Imam al-¯¡diq (‘a), “What is attached to man after his death?”

The Imam (‘a) answered:

(مَا يَلْحَقُ الرَّجُلَ بَعْدَ مَوْتِهِ) سُنَّةٌ يُعْمَلُ بِهَا بَعْدَ مَوْتِهِ، فَيَكُونُ لَهُ مِثْلَ أَجْرِ مَنْ عَمِلَ بِهَا مِنْ غَيْرِ أَنْ يَنْقُصَ مِنْ أُجُورِهِمْ

(Rewards of the following deeds are linked to a person after his death:) An observance that is continued after a man’s death for which the dead man receives an equal reward to those who continue to observe his practice; a recurrent charitable deed that continues after his death; and a

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 13:292, H. 1.

good son who prays for his parents after they have died and, on behalf of them, goes on °ajj pilgrimage, gives alms, manumits slaves, offers prayers, and observes fasting.

شَيْءٌ ، وَ الصَّدَقَةُ
الْجَارِيَةُ تَجْرِي مِنْ
بَعْدِهِ ، وَ الْوَلَدُ
الطَّيِّبُ يَدْعُو
لِوَالِدَيْهِ بَعْدَ
مَوْتِهِمَا ، وَيَحِجُّ
وَيَتَصَدَّقُ وَيَعْتِقُ
عَنْهُمَا ، وَيُصَلِّي
وَيَصُومُ عَنْهُمَا .

The reporter asked, "Is it acceptable to give my (dead) parents a share in my °ajj pilgrimage?"

The Imam (ʻa) answered affirmatively.[1]

Complying with such instructions, *waqf* has become one of the common features in the general social and financial system of the virtuous community. Although it is common among other Muslims, the activity of *waqf endowments* is, to a great extent, practiced distinctively by the individuals of the virtuous community. This matter has therefore been discussed by the messages, known as *tawq¢`* (signed document), coming from Imam al-Mahd¢ (ʻa) during his minor occultation.

Shaykh al-¯ad£q, in his book of *Ikm¡l al-D¢n*, has reported from Abu'l-°usayn Mu¦ammad ibn Ja`far al-Asad¢, a document signed by Imam al-Mahd¢ (ʻa) involving several paragraphs about *waqf*, the last of which was the following statement:

As for your question about the man who dedicates an orchard to us and appoints a

وَ أَمَّا مَا سَأَلْتَ عَنْهُ
مِنْ أَمْرِ الرَّجُلِ الَّذِي
يَجْعَلُ لِنَاحِيَتِنَا ضَيْعَةً

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 13:293, H. 4.

custodian to manage and cultivate it, and pays religious dues from its income, tributes, and provisions and devotes the rest to us, the answer is that this is lawful only for the custodian appointed by the owner of the orchard, but unlawful for anyone else.[1]

وَيُسَلِّمُهَا مِنْ قَيِّمٍ يَقُومُ بِهَا وَيَعْمُرُهَا وَيُؤَدِّي مِنْ دَخْلِهَا وَخَرَاجِهَا وَمَؤُونَتِهَا، وَيَجْعَلُ مَا يَبْقَى مِنَ الدَّخْلِ لِنَاحِيَتِنَا، فَإِنَّ ذَلِكَ جَائِزٌ لِمَنْ جَعَلَهُ صَاحِبُ الضَّيْعَةِ قَيِّماً عَلَيْهَا. إِنَّمَا لاَ يَجُوزُ ذَلِكَ لِغَيْرِهِ.

In the Islamic law, the Ahl al-Bayt (‘a), according to the common social conditions of the virtuous community, have classified *waqf* into two categories: public and private.

Public Waqf is the endowment of property that is purposed to achieve the common interest of Muslims or the virtuous community, such as mosques, schools, °usayniyyahs, libraries, lands, arches, houses of residence for pilgrims, and the like.

Such endowments can include all people or be dedicated to the people of a certain country or a certain category. Yet, the purpose is still public even if it is dedicated to a certain group for the purpose of maintaining a certain status quo or because of deficiency in funds.

Private Waqf is the endowment of a property to the endower’s offspring; hence, this category of *waqf* is also called “lineal *waqf*.” It is spent on the private affairs of all of one’s offspring, such as residence, provisions, marriage,

1- Shaykh al-¯ad£q, *Ikm¡l al-D¢n*, pp. 530-531, H. 49; Shaykh al-±abris¢, *al-I¦tij¡j* 2:298-300; al-Majlis¢, *Bi¦¡r al-Anw¡r* 53: 182-183, H. 11.

and other affairs.

As a result of such flexibility in spending and peculiarity in benefit, *waqf* has played a vital role building the virtuous community and in supporting its financial needs, similar to the role that *khums* played in improving the economic conditions of the virtuous community and in contributing to the establishment of foundations restricted to this community.

Due to such contribution, the public social life of the virtuous community has witnessed large properties endowed as *waqf*, including mosques, schools, °usayniyyahs, libraries, and other public services. In addition to private *waqf*, these endowments have acted as an important pillar in the economic structure of the virtuous community.

Chapter Two:
Restricted Economic Legislation

1. Khums paid from profits

2. Restricted Social Solidarity

PREAMBLE

This chapter deals with some other Islamic economic policies, unobserved by the Islamic state, that the Ahl al-Bayt (‘a) carried out, confirming that these policies and duties had been enacted in the religious law of Islam of which details are known by the Ahl al-Bayt (‘a) more than anyone else.

They also determined certain strategies, duties and teachings that were restricted to the individuals of the virtuous community because they helped treat urgent problems that arose or helped put their economic activity on the right track.

In this respect, we touch on three main areas:

- The Imam and the general political system
- The individuals of the virtuous community and their responsibilities towards one another
- The economic activities of the virtuous community

These areas include the following measures:

- *Khums* paid from profits
- Restricted social solidarity (rights of brethren-in-faith)
- Focused economic activity

KHUMS PAID FROM PROFITS

Khums is believed to be one of the most important economic legislations in the religious, economic theory of Islam, especially as viewed by the Ahl al-Bayt (‘a). The origin of its enactment and related laws are derived from the Holy Qur'¡n as well as authentic, clear-cut texts of the Holy Sunnah. *Khums,* because of its high percentage (20%) and the large circle of finances subject to it, creates one of the most vital resources of the Islamic state.

Muslims are almost in full agreement that spoils of war and treasures are subject to *khums*, but a number, after having delved into many divergent details, have claimed that minerals were subject to *zak¡t*, not *khums*.[1]

Based on the Holy Qur'¡n and Sunnah, the Ahl al-Bayt (‘a) maintained that the following seven categories were subject to *khums*:

(1) Spoils of war

(2) Minerals discovered as natural resources

(3) Discovered treasures

(4) Precious stones extracted from oceans and seas, such as

1- Refer to: Ab£-Ya`l¢ al-Farr¡' al-°anbal¢ (the °anbalite), *al-A¦k¡m al-Sul§¡niyyah*, pp. 115; Abu’l-°asan `Al¢ ibn Mu¦ammad al-M¡ward¢, *al-A¦k¡m al-Sul§¡niyyah*, pp. 113.

pearls and corals gathered while diving

(5) Lawful money intermixed with illegally acquired assets

(6) Lands purchased by Dhimmis from Muslims

(7) Profits of earnings

There is a great difference between the concept of the Ahl al-Bayt and other Muslim jurisprudents about financial rights restricting *khums* to a very narrow scope and keeping the door wide open for other financial duties, such as *zak¡t* which has a percentage of less than one-fifth and, in addition, restricting stipulations regarding the payment of *khums*.

Khums is a tax dedicated to the Ahl al-Bayt (‘a), who are the recipients of this tax. The Ahl al-Bayt (‘a) also enjoy some rights regarding the *fay'* money. In fact, the Ahl al-Bayt (‘a), as the Holy Prophet’s *qurb¡* (relatives), have been mentioned in relation to *khums* and *fay'* in the Holy Qur'¡n. The Ahl al-Bayt (‘a) are unanimously accepted as the kin (*dhaw£’l-qurb¡*) to whom the Holy Qur'¡n has referred to on more than one occasion, such as the following:

Know that whatever thing you gain, a fifth of it is for Allah, the Messenger, the near of kin, the orphans, the needy, and the wayfarer, if you believe in Allah and in that which We revealed to Our servant... (8:41)

ﭖ ﭗ ﭘ ﭙ ﭚ ﭛ ﭜ ﭝ ﭞ ﭟ ﭠ ﭡ ﭢ ﭣ

Whatever Allah has restored to His Messenger from the people of the towns, it is for Allah and for the Messenger and the near kinsmen and the orphans and the needy and the wayfarer... (59:7)

ﮉ ﮊ ﮋ ﮌ ﮍ ﮎ ﮏ ﮐ ﮑ ﮒ ﮓ ﮔ ﮕ ﮖ ﮗ

Conforming to these holy verses, the Holy Prophet (¥), the first caliph and the second caliph (in a part of his reign) would pay a share of the *khums* to the relatives of the Holy Prophet (¥). However, `Umar, the second caliph, deemed it too much to give them such a share; therefore, he suggested to them that such payment would be made only for urgent needs of their members (i.e. the Holy Prophet's relatives). From the beginning, the Ahl al-Bayt (‘a) denounced such wrong interpretation of the religious law and refused to take anything less than their entire due, so `Umar deprived them of it completely. This deprivation continued into the successive reigns as a result of `Umar's act and misinterpretation.[1]

In ¯a¦¢¦ *Muslim*,[2] Yaz¢d ibn Hurmuz is reported to have said that Najdah ibn `ªmir al-°ar£r¢, a Kharijite, wrote a letter to Ibn `Abb¡s. Yaz¢d confirmed that he was present when Ibn `Abb¡s received and replied to that letter:

“You have asked me about the share of the near of kin,” Ibn `Abb¡s wrote, “and about those relatives whom Almighty Allah mentioned. We have always considered ourselves the near of kin of Allah's Messenger (¥), but our people deprived us of it.”[3]

إِنَّكَ سَأَلْتَنِي عَنْ سَهْمِ ذِي الْقُرْبَى الَّذِينَ ذَكَرَهُمُ اللّه، مَنْ هُمْ. وَ إِنَّا كُنَّا نَرَى أَنَّ قَرَابَةَ رَسُولِ اللّه، صَلَّى اللّه عَلَيْهِ وَ آلِهِ، هُمْ

1- Some historical reports bear out that this prohibition was initially decided by Ab£-Bakr, the first caliph; while others confirm that it was decided by `Umar.
There are additional traditions upholding this fact. In his introduction to *Mir'¡t al-Uqul* (1:153-155), `All¡mah Murta¤¡ al-`Askar¢ has discussed this topic elaborately.
2- One of the most reliable reference books of ¦ad¢th for Sunnis.
3- ¯a¦¢¦ *Muslim*, *Kit¡b* (Section) *al-jih¡d wa'l-siyar*, No. 48.

نَحْنُ، فَأَبَى ذَلِكَ عَلَيْنَا قَوْمُنَا.

According to another narration, Ibn `Abb¡s is reported to have said:

سَهْمُ ذِي الْقُرْبَى لِقُرْبَى رَسُولِ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، قَسَّمَهُ لَهُمْ رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ. وَقَدْ كَانَ عُمَرُ عَرَضَ عَنْ ذَلِكَ فَرَأَيْنَاهُ دُونَ حَقِّنَا، فَرَدَدْنَاهُ عَلَيْهِ وَأَبَيْنَا أَنْ نَقْبَلَهُ.

The share of the near of kin (*qurbi*) is for the relatives of Allah's Messenger (¥) according to the distribution that he used to make. `Umar then made us an offer, which we deemed less than our due; therefore, we rejected it insisting on our legal share.[1]

According to a third narration, Ibn `Abb¡s is reported to have said:

هُوَ لَنَا أَهْلَ الْبَيْتِ، وَقَدْ كَانَ عُمَرُ دَعَانَا إِلَى أَنْ يُنْكِحَ مِنْهُ أَيِّمَنَا، وَيُحْذِي مِنْهُ عَائِلَنَا، وَيَقْضِيَ مِنْهُ عَنْ مُغْرَمِنَا، فَأَبَيْنَا إِلاَّ أَنْ يُسَلِّمَهُ لَنَا،

The share of the near of kin (out of *khums*) is for us, the Ahl al-Bayt. However, `Umar suggested that he would restrict it to urgent occasions, such as marrying off the poor among us, aiding the destitute, and settling the debts of the indebted, but we insisted that he should give us our complete share. `Umar, however, rejected; therefore, we left it as his responsibility.[2]

1- These narrations can be found in the introduction of *Mir'¡t al-`Uq£l* (1:153-155). The author has quoted them from famous reference books relied on by Sunni Muslims.

2- Murta¤¡ al-`Askar¢, *Mir'¡t al-`Uq£l* 1:153-155.

وَ أَبَـى لَـنَـا ذَلِـكَ
فَـتَـرَكْـنَـاهُ .

In *Sunan al-Bayhaq¢*, `Abd al-Ra¦m¡n ibn Ab¢-Ya`l¡ is reported to have said that he once met (Imam) `Al¢ (‘a) at A¦j¡r al-Zayt and said, “(I am amazed) how Ab£-Bakr and `Umar violated your rights—you, the Ahl al-Bayt—regarding *khums*!”

(Imam) `Al¢ (‘a) answered:

...أَنَّ عُمَرَ قَـالَ:
لَـكُمْ حَقٌّ وَلاَ يَـبْـلُغُ
عِـلْمِي إِذَا كَـثُرَ
أَنْ يَـكُونَ لَـكُمْ
كُـلُّـهُ، فَـإِنْ شِئْـتُمْ
أَعْطَيْـتُـكُمْ مِـنْهُ
بِـقَـدْرِ مَـا أَرَى
لَـكُمْ. فَـأَبَـيْـنَـا
عَـلَـيْـهِ إِلاَّ كُـلَّـهُ،
فَـأَبَـى أَنْ يُـعْطِيَـنَـا
كُـلَّـهُ.

...`Umar then said, “It is true that you enjoy a right, but as much as I know, it should not be given to you entirely when it is such a large amount! If you wish, I will give you an amount that I see sufficient for you.” However, we rejected receiving any amount less than our entire right, but `Umar refused to give us our entire due.[1]

Many narrations, reported from the Ahl al-Bayt (‘a), substantiate that *khums*, including the shares of the orphans, the needy, and the wayfarers in addition to the near of kin, are dedicated to the Ahl al-Bayt (‘a) as compensation for their deprivation from *zak¡t* and alms, which are considered surplus for people. *Khums*, on the other hand, is a duty that Almighty Allah has made for the Ahl al-Bayt (‘a) in public funds or gains. It is thus goes beyond surplus funds.

In *Tahdh¢b al-A¦k¡m*, Shaykh al-±£s¢ has reported on the authority of `Abdull¡h ibn Bukayr on the authority of some

1- Murta¤¡ al-`Askar¢, *Mir'¡t al-`Uq£l* 1:153-155.

of his companions that Imam al-B¡qir (‘a) or Imam al-¯¡diq (‘a) had said:

فِي قَوْلِهِ تَعَالَى: **{وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلّه خُمُسَهُ...}** قَالَ: خُمُسُ اللهِ لِلإِمَامِ، وَخُمُسُ الرَّسُولِ لِلإِمَامِ، وَخُمُسُ ذَوِي الْقُرْبَى لِقَرَابَةِ الرَّسُولِ: الإِمَامِ، وَالْيَتَامَى يَتَامَى الرَّسُولِ، وَالْمَسَاكِينُ مِنْهُمْ، وَأَبْنَاءُ السَّبِيلِ مِنْهُمْ، فَلاَ يَخْرُجُ مِنْهُمْ إِلَى غَيْرِهِمْ.

As regarding the interpretation of this verse, “Know that whatever you gain, a fifth of it is for Allah”, the one-fifth that is Almighty Allah’s is for the Imam. One-fifth of the Messenger’s share is for the Imam. One-fifth of the near of kin is for the Messenger’s relatives. The orphans, here, stand exclusively for the orphans among the Messenger’s relatives. The same thing applies to the needy and the wayfarers. Hence, *khums* never departs from them to join anyone else.[1]

As is understood from the ‘verse of gains’ (*ghan¢mah* 8:41) and the ‘verse of restoration’ (*fay'* 59:7), as well as some traditions reported from the Ahl al-Bayt (‘a), *khums* is dedicated to the Imams of the Ahl al-Bayt (‘a) exclusively; while the other details (i.e. reference to the orphans, needy, etc.) have been mentioned to define the categories that legally deserve shares from *khums* apportioned by the Ahl al-Bayt (‘a).[2]

In (his book of) *al-K¡f¢*, Shaykh al-Kulayn¢ has reported through a valid series of narrators, that Imam al-B¡qir (‘a) said:

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:356, H. 2.

2- For more information in this regard, refer to *Bu¦£th fi'l-Fiqh* by Sayyid Ma¦m£d al-H¡shim¢ (Chapter: *Khums*) 2:374-397.

فِي قَوْلِهِ تَعَالَى: (وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلّه خُمُسَهُ...) قَالَ: هُمْ قَرَابَةُ رَسُولِ اللّه، صَلَّى اللّه عَلَيْهِ وَآلِهِ، وَالْخُمُسُ لِلّه وَلِلرَّسُولِ، صَلَّى اللّه عَلَيْهِ وَآلِهِ، وَلَنَا.

Regarding the interpretation of this verse, "Know that whatever you gain, a fifth of it is for Allah", the near of kin are exclusively the relatives of the Holy Prophet (¥). So, *khums* is only for Almighty Allah, the Messenger (¥), and us.[1]

Shaykh al-Kulayn¢, through an authentic chain of authority, has also reported Imam al-¯¡diq (‘a) as saying:

الأَنْفَالُ مَا لَمْ يُوجَفْ عَلَيْهِ بِخَيْلٍ وَلاَ رِكَابٍ، أَوْ قَوْمٌ صَالَحُوا، أَوْ قَوْمٌ أَعْطَوْا بِأَيْدِيهِمْ، وَكُلُّ أَرْضٍ خَرِبَةٍ وَبُطُونُ الأَوْدِيَةِ فَهُوَ لِرَسُولِ اللّه، صَلَّى اللّه عَلَيْهِ وَآلِهِ، وَهُوَ لِلإِمَامِ مِنْ بَعْدِهِ يَضَعُهُ حَيْثُ يَشَاءُ.

The *anfil* properties include estates towards which neither horse nor riding camel are sent forward, estates that are gained due to reconciliation or gift, derelict lands, and the bottoms of valleys. All these are owned by the Holy Prophet (¥) and then by the Imam (‘a) who has the right to use them as he wills.[2]

However, the ownership of *khums* has been exposed to meticulous argument. Some scholars have argued that *khums* is possessed by the Holy Imams (‘a) personally and the position of Imamate is a stipulation that is specified for gaining this ownership; therefore, *khums* cannot be inherited by the lineal heirs of the Holy Imams (‘a) because their capacity as Imams has been the reason for granting them

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:357, H. 5.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:364, H. 1.

ownership of such large properties. Other scholars, on the other hand, have argued that *khums* is owned by the *position* of Imamate (not the Imams themselves); therefore, it is not dedicated only to the Holy Imams (‘a) and this ownership may be transferred to their representatives and agents who will thus have the right to utilize the funds of *khums*.[1]

However, the evidence on these opinions, from a Muslim jurisprudential point of view, as well as the sectarian disagreements between the Ahl al-Bayt (‘a) school and the other Muslim schools, or between the different inferences of the scholars of the Ahl al-Bayt (‘a) school, are not our primary concern in this discussion; rather, we only intend to deal with the distinctive features of the Ahl al-Bayt’s jurisprudence concerning the funds of *khums* as much as they reflect on the economic system of the virtuous community.

There are three generally accepted views towards this topic:

- The Holy Imams’ (‘a) view towards the one-fifth tax being obligatory on the funds obtained by people from spoils of war, minerals, treasures, gains from diving, lands purchased by Dhimmis from Muslims, legal funds intermixed with illegally acquired assets and the profit of one’s earnings.
- The Holy Imams’ (‘a) view about the one-fifth tax

1- For further information, refer to *Bu¦£th fi’l-Fiqh* by Sayyid Ma¦m£d al-H¡shim¢ (Chapter: The *Khums*) as well as *Bu¦£th al-Khums* by Shaykh al-Munta¨ar¢.
In truth, traditions give preponderance to the latter opinion over the earlier if we restrict our study to the purports of traditions. However, it is claimed that there is a consensus among the scholars of the Ahl al-Bayt (‘a) school on the earlier opinion.

regarding the profit of earnings and the explanation of imposing this tax in later times.

- The role of *khums* in the economic life of the virtuous community.

People-obtained funds subject to khums

Based on the Ahl al-Bayt's teachings about *khums*, their followers encountered general problems while dealing with the money used by Muslims publicly, which included the funds subject to *khums* in the view of non-Sh¢`ite jurisprudents (such as spoils of war and treasures) and some funds not subjected to this tax in their view (such as tax on minerals, etc.), in view of the fact that some properties brought up sensitive issues, such as bondwomen and slaves captured in battles that were considered to be spoils of war, a fifth of which belonged to the Ahl al-Bayt ('a).[1] As a result, marrying such bondwomen was illegal without obtaining the permission of the owner.

This ruling is fixed. Whether the individuals of the virtuous community participated in such battles or not, purchased from participants in it, or possessed such captured bondwomen or slaves is another matter. In reality, the problem was wide-ranging and it clashed with the doctrinal aspect and the economic and spiritual pressures on the virtuous community. Sometimes, the problem could not be solved even if *khums* was paid again.

1- This is legal only when the battle is founded on a religious basis and permitted by the actual religious authority of Muslims; otherwise, it is illegal for the warriors to utilize such spoils of war, such as occurred in some deviant instances, and these are totally at the Imam's disposal.

Having noticed the existence of this problem from its beginning and before the growth and perfection of the virtuous community, the Ahl al-Bayt (‘a) declared a part of this type of *khums* lawful for their followers and Sh¢`ah to use—yet to the extent related to the problem. This declaration included even fathers and mothers of individuals of the virtuous community. The Holy Imams of the Ahl al-Bayt (‘a) explained this permissibility as being to alleviate the economic and psychological pressures imposed on the virtuous community and ensure the legitimacy of their births and origins.

Foreseeing this problem, Lady F¡§imah al-Zahr¡' and Imam `Al¢ Am¢r al-Mu'min¢n (‘a) were the first to permit their followers to use the Ahl al-Bayt’s one-fifth share before the emergence of the problem.

Shaykh al-¯ad£q, in his book of *`Ilal al-Shar¡'i`*, Shaykh al-Muf¢d, in his book of *al-Muqni`ah*, and Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m* and *al-Istib¥¡r*, through an authentic chain of authority, have reported on the authority of Ab£-Ba¥¢r, Zur¡rah, and Mu¦ammad ibn Muslim on the authority of Imam Mu¦ammad al-B¡qir (‘a) that Imam `Al¢ Am¢r al-Mu'min¢n (‘a) said:

هَلَكَ النَّاسُ فِي بُطُونِهِمْ وَفُرُوجِهِمْ لِأَنَّهُمْ لَمْ يُؤَدُّوا إِلَيْنَا حَقَّنَا. أَلاَ وَإِنَّ شِيعَتَنَا مِنْ ذَلِكَ وَآبَاءَ هُمْ فِي حِلٍّ.

People are perishing because of their stomachs and private parts, since they have not fulfilled our rights over them. Our Sh¢`ah and their fathers are exempted from this (for they fulfill our rights).[1]

Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, has reported on the

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:379, H. 1.

authority of Mu¦ammad ibn al-°asan al-¯aff¡r, through an authentic series of narrators, that Imam al-¯¡diq (‘a) said:

مَنْ وَجَدَ بَرْدَ حُبِّنَا فِي كَبِدِهِ فَلْيَحْمِدِ اللهَ عَلَى أَوَّلِ النِّعَمِ... طِيبِ الْوِلاَدَةِ. قَالَ أَمِيرُ الْمُؤْمِنِينَ، عَلَيْهِ السَّلاَمُ، لِفَاطِمَةَ، عَلَيْهَا السَّلاَمُ: أَحِلِّي نَصِيبَكِ مِنَ الْفَيْءِ لآِبَاءِ شِيعَتِنَا لِيَطِيبُوا... إِنَّا أَحْلَلْنَا أُمَّهَاتِ شِيعَتِنَا لآِبَائِهِمْ لِيَطِيبُوا.

Whoever finds the serenity of love for us in his heart must express thanks to Almighty Allah for the first of graces...the legitimacy of birth. Am¢r al-Mu'min¢n (‘a) asked Lady Fi§imah (‘a) to permit her share of the *fay’* funds for the fathers of our Sh¢`ah so that births would be lawful. As for us, we have legalized the marriage of the mothers of our Sh¢`ah to their fathers so that the birth of our Sh¢`ah would be legitimate.[1]

In addition to Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, Shaykh al-Kulayn¢, in *U¥£l al-K¡f¢*, has reported Duraysh al-Kunn¡s¢, through a valid chain of authority, as quoting the following from Imam al-¯¡diq (‘a):

أَتَدْرِي مِنْ أَيْنَ دَخَلَ عَلَى النَّاسِ الزِّنَا؟... مِنْ قِبَلِ خُمُسِنَا أَهْلَ الْبَيْتِ، إِلاَّ لِشِيعَتِنَا الأَطْيَبِينَ، فَإِنَّهُ مُحَلَّلٌ لَهُمْ

Do you know why adultery has afflicted people?...It has afflicted them because they have not paid their one-fifth duty to us, i.e. the Ahl al-Bayt. Exempted from this are our pure Sh¢`ah. We have permitted this share for them and their offspring.[2]

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:381, H. 10.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:379, H. 3.

وَلِمِيلاَدِ هِمْ .

Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, and Shaykh al-Muf¢d, in *al-Muqni`ah*, have reported the following from S¡lim ibn Mukrim:

I was present when a man said to Imam al-¯¡diq (‘a), “Please, permit me the private parts.”

The Imam (‘a) became furious on this request. Another man explained, “He is not asking you to permit him to violate chastity; rather, he is asking you to permit him to purchase a servant, marry a woman, own a legacy, gain business profit, or dispose of a gift that has been given to him.”

The Imam (‘a) replied:

هَذَا لِشِيعَتِنَا حَلاَلٌ: الشَّاهِدِ مِنْهُمْ وَالْغَائِبِ، وَالْمَيِّتِ مِنْهُمْ وَالْحَيِّ، وَمَا يُولَدُ مِنْهُمْ إِلَى يَوْمِ الْقِيَامَةِ، فَهُوَ لَهُمْ حَلاَلٌ. أَمَا وَاللهِ، لاَ يَحِلُّ إِلاَّ لِمَنْ أَحْلَلْنَا لَهُ، وَلاَ وَاللهِ مَا أَعْطَيْنَا أَحَداً ذِمَّةً، وَمَا عِنْدَنَا لأَحَدٍ عَهْدٌ وَلاَ لأَحَدٍ عِنْدَنَا مِيثَاقٌ.

Those are legal for our Sh¢`ah—the present and the absent, the deceased and those alive, and those who have not yet been born up to the Day of Resurrection. Those are legal for them. By Allah (I swear), nothing of that is legal except that which we permit. Verily, we have neither given anybody (else) permanent permission, nor have we been engaged in a pledge with anybody, nor have we had any covenant with anybody.[1]

Other narrations have borne the indication that the Holy

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:379, H. 4.

Imams of the Ahl al-Bayt (‘a), in order to alleviate the consequences of the economic pressures and sieges that overburdened their followers by the ruling authorities (and sometimes by individuals) widened the scope of this permission to include all situations of need and destitution, although such broadening of the scope of permission was considered an executive procedure restricted to that age.

Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, and Shaykh al-¯ad£q, in *man-l¡-ya¦¤uruhu'l-faq¢h*, have reported the following from `Al¢ ibn Mahziyar:

In a letter sent to Imam al-B¡qir (‘a) which I myself read, a man asked him to give him permission to utilize *khums* to purchase food and drink.

The Imam (`a) replied:

Anyone who needs any of my right is allowed to utilize it.[1] مَنْ أَعْوَزَهُ شَيْءٌ مِنْ حَقِّي فَهُوَ فِي حِلٍّ.

The same result is concluded from the following narration of Y£nus ibn Ya`q£b, which is reported by Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m*, Shaykh al-¯ad£q, in *man-l¡-ya¦¤uruhul-faq¢h*, and Shaykh al-Muf¢d, in *al-Muqni`ah*:

I was present with Imam al-¯¡diq (‘a) when a reed-house builder (*or* baby-dressmaker) visited him and said, “May Allah accept me as ransom for you! We have gained funds, profits, and money from business and we know for sure that you have a fixed share in these. However, we have neglected your right.”

Imam al-¯¡diq (‘a) answered:

If today we impose upon you to give مَا أَنْصَفْنَاكُمْ

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:379, H. 2.

إِنْ كَلَّفْنَاكُمْ ذٰلِكَ الْيَوْمَ.

us our rights out of these, then we will not have treated you fairly.[1]

Profit of earnings subject to khums

The Im¡miyyah Sh¢`ite jurisprudents have almost no doubt about the ruling that the profit of earnings are subject to *khums* after deduction of annual provisions.[2] In this ruling, they rely on the unrestrictedness of the holy verse verifying that all that which is gained by man—be it spoils of war, treasures, minerals, diving gains, or gains of business, work, and professions—is subject to *khums*. It is true that the holy verse has been revealed on the occasion of spoils of war, but the unanimously agreed upon rule in the fundamentals of Muslim jurisprudence (*U¥£l al-Fiqh*), which entails that "a specific cause cannot restrict an unrestricted cause" necessitates that the ruling derived from the holy verse must be kept unrestricted.

In a validly reported tradition, `Al¢ ibn Mahziy¡r reported Imam al-Jaw¡d ('a) to have said the following:

فَأَمَّا الْغَنَائِمُ وَالْفَوَائِدُ فَهِيَ وَاجِبَةٌ عَلَيْهِمْ فِي كُلِّ عَامٍ. قَالَ اللهُ تَعَالَى: (وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلّٰهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي

As for gains and profit, they are obligatorily subject to taxation each year. Almighty Allah has said, "Know that whatever thing you gain, a fifth of it is for Allah, the Messenger, the near of kin, the orphans, the needy, and the wayfarer, if you believe in Allah and in that which We

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:380, S. 4 (Deeds Restricted to the Imam), H. 6.

2- Sayyid Abu'l-Q¡sim al-Kh£'¢, *Mustanad al-`Urwah al-Wuthq¡, Kit¡b al-Khums,* pp. 193-194.

revealed to Our servant, on the day of distinction, the day on which the two parties met. Allah has power over all things. (8:41)"

By gains and benefits we mean the following: gains are whatever is gained by man, and benefits are whatever is utilized by man and the gifts that one gives to another, bearing in mind that they are considerable in value...[1]

الْقُرْبَى وَالْيَتَامَى
وَالْمَسَاكِينِ وَابْنِ
السَّبِيلِ إِنْ كُنتُمْ
آمَنتُمْ بِاللّه وَمَا
أَنزَلْنَا عَلَى عَبْدِنَا
يَوْمَ الْفُرْقَانِ يَوْمَ
الْتَقَى الْجَمْعَانِ
وَاللّه عَلَى كُلِّ شَيْءٍ
قَدِيرٌ) فَالْغَنَائِمُ
وَالْفَوَائِدُ، يَرْحَمُكَ
اللّه، فَهِيَ الْغَنِيمَةُ
يَغْنَمُهَا الْمَرْءُ
وَالْفَائِدَةُ يُفِيدُهَا،
وَالْجَائِزَةُ مِنَ
الإِنْسَانِ لِلإِنْسَانِ
الَّتِي لَهَا خَطَرٌ...

Many traditions that decisively confirm this fact have been reported from the Ahl al-Bayt (‘a) who are the second ‘Weighty Thing’, the counterparts of the Holy Qur'¡n, and the most knowledgeable of all regarding the Holy Qur'¡n, the Prophetic traditions, and the laws of the religion of Islam.

Shaykh al-±£s¢, in *Tahdh¢b al-A¦k¡m* and *al-Istib¥¡r*, has reported through a valid chain of authority that Mu¦ammad ibn al-°asan al-Ash`ar¢ said:

Some of our acquaintances wrote a letter to Imam al-Jaw¡d (‘a) asking him whether *khums* is applied to all gains that one may obtain, be they few or much, to all professions and crafts, and how they are applied.

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:350, H. 5.

The Imam's reply (in a written form) was the following:

All is subjected to *khums* after excluding the (annual) provisions.[1] الْـخُمُسُ بَـعْدَ الْـمَـؤُونَـةِ .

Ibn Shuj¡` al-Naysh¡b£r¢ has reported that he asked Imam al-H¡d¢ (‘a) about the taxes imposed on the gains of a man who obtained one hundred *kurr* (a unit of measurement) from the yield of wheat. He used one-tenth of the yield as expenditures, expended thirty *kurr* on reconstructing his farm, and only sixty *kurr* remained for him…

The Imam (‘a) answered (in a written form):

Out of the remainder, after he deducts his annual provisions, one fifth is for me.[2] لِـي مِـنْـهُ الْـخُمُسُ مِـمَّـا يَـفْـضُلُ مِـنْ مَـؤُونَـتِـهِ .

`Al¢ ibn Mahziy¡r has reported that Ab£-`Al¢ ibn R¡shid said to the Imam (‘a), “When you ordered me to represent you and collect your rights, I informed your adherents, but some of them asked me to identify (the amount of) your right, but I could not answer.”

The Imam (‘a) answered:

It is obligatory upon them to pay *khums* (one-fifth portion). يَـجِبُ عَـلَـيْـهِمُ الْـخُمُسُ.

“What are the things subject to this tax?” I asked.

The Imam (‘a) answered:

The money of their belongings and their crafts is subjected to *khums*. فِـي أَمْـتِـعَـتِـهِمْ وَصَـنَـائِـعِـهِمْ .

“Is the money of businessmen and craftsmen included?” I

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:348, H. 1.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:348, H. 2.

asked.

The Imam (‘a) answered:

Yes, when possible (i.e. when something remains) after setting apart their annual provisions.[1]

إِذَا أَمْكَنَهُمْ بَعْدَ مَؤُونَتِهِمْ.

The Emergence of this Ruling in Later Times

The matter of the origin of the legislation of *khums* and most details are clear from a Muslim jurisprudential aspect. Nevertheless, there are some points of obscurity attached to this legislation that require some explanation and clarification.

The first point of obscurity ensues from the fact that some details of *khums* were not known in general to the Muslim nation and we cannot find any reference to or indication of such details from the first age of Islam up to the age of Imam al-B¡qir and Imam al-¯¡diq (‘a),[2] despite the fact that *khums* on earnings were existent since the first age of Islam and during the lifetime of the Holy Prophet (¥). This fact may arouse some questions about gains on earnings that are subject to *khums*.

The second point of obscurity ensues from the fact that this religious law seemed to have been nonexistent even in the milieus of the virtuous community although, firstly, such profits of earnings were existent and, secondly, there was a

---

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:348, H. 3.

2- Sayyid Abu’l-Q¡sim al-Kh£'¢, *Mustanad al-`Urwat al-Wuthq¡, Kit¡b al-Khums*, pp. 196.
However, the author made efforts to find any hint of such details from the traditions of the Holy Prophet (¥) and found one mentioned in ¯*a¦'¢¦ al-Bukh¡r¢*. See pp. 197.

profound connection between the individuals of the virtuous community and the Holy Imams of the Ahl al-Bayt (‘a).

To explain the earlier point of obscurity, we may refer the reader to the previous chapter about the religious referential authority of the Ahl al-Bayt (‘a) where we have stated that the Holy Prophet (¥) did not reveal all the religious laws of Islam before all Muslims, for tangible reasons appertaining to the Holy Prophet (¥) personally and to the Muslim nation; rather, he (¥) revealed these rulings and laws to special individuals, including Imam `Al¢ Am¢r al-Mu'min¢n (‘a) and some of his elite companions. He (¥) referred the Muslim nations to the Ahl al-Bayt (‘a) if they, in the future, would desire to learn these laws—a fact that is corroborated by traditions authentically reported from the Holy Prophet (¥), such as the famous *°ad¢th al-Thaqalayn* (Tradition of the Two Weighty Things) and others, as well as verbal and practical confessions of the caliphs to this fact shown in their referrals to Imam `Al¢ (‘a) to solve enigmatic problems.

As a result, details of this religious law were undisclosed to the Muslim nation because of the political and cultural circumstances that deprived the Ahl al-Bayt (‘a) of their political position. Hence, *khums* was one of the matters firmly related to this issue, because the Ahl al-Bayt (‘a) were the one and only authority to decide about this tax.[1]

As another justification, it may also be said that the Holy Prophet (¥) did not demonstrate details of this religious law; rather, he delayed the question and entrusted it to the

1- This detail is confirmed by the aforementioned discussion of the caliphs’ depriving the Ahl al-Bayt (‘a) of their one-fifth share of the spoils of war, which is their right as openly declared by the Holy Qur'¡n.

Imams (‘a) to reveal it at the appropriate time when required.[1]

In addition, the gains of earnings being subject to *khums* was not within the affairs that could be manipulated by the authorities because it became operative only after gaining profits in business and deducting annual provisions. Like the amount of *zak¡t* on gold, silver and business income, these conditions could not be controlled or defined by the religious authority. Therefore, the jurisprudents of the other Muslim sects exclude these funds from being delivered to the ruler because they are considered ‘invisible funds’. ‘Visible funds’, such as cattle and yields, which could be estimated and assessed, had to be delivered to the ruler.[2]

Moreover, profit on earnings during the age of the Holy Prophet (¥) was a small amount and restricted to a certain number of people.

It can be seen that non-Sh¢`ite Muslim jurisprudents maintain that it is obligatory to pay *zak¡t* on business investments, while Sh¢`ite jurisprudents clearly maintain the opposite. This may stand in as evidence to conclude that according to Islamic legislation, *khums* is on the *profit* of earnings; however, *khums* might have been changed by non-Sh¢`ite jurisprudents into *zak¡t* because of lack of scrutiny of the religious laws or because of the many attempts at modification and distortion to which Muslim society and Islam were exposed such that even evident issues of Islamic legislation became ambiguous, such as

1- Sayyid Abu’l-Q¡sim al-Kh£'¢, *Mustanad al-`Urwah al-Wuthq¡*, *Kit¡b al-Khums*, pp. 196.
2- Ab£-Ya`l¢ al-Farr¡' the °anbalite scholar, *al-A¦k¡m al-Sul§¡niyyah*, pp. 115; al-M¡ward¢, *al-A¦k¡m al-Sul§¡niyyah*, pp. 113.

some rulings of *zak¡t*, °*ajj* (pilgrimage) and others.[1]

The Holy Imams of the Ahl al-Bayt (‘a), however, did not make efforts to publically elucidate this religious law because such efforts would certainly result in political conflicts, since elucidation of this religious law would grant the tyrannical ruling authorities more power and potency. The tyrannical authorities believed that *khums* should be possessed by the caliph, and in this case these funds would be transferred to the treasury of the caliphs most of whom would consider such funds to be their pure ownership.

As for the explanation of the second point of ambiguity, it can be explained by one of the following probabilities:

(1) The Holy Imams of the Ahl al-Bayt (‘a) had not wanted to burden their Sh¢`ah, who were few in number at that time, with more financial loads. Moreover, they did not consider the existence of an urgent need for such funds because the virtuous community had not yet spread over a large scale to have big expenses. As a result, the Holy Imams (‘a) allowed their followers to make disposition of the funds because the funds were possessed by the position of Imamate and the Imams had the right to determine their disposition. They also allowed their Sh¢`ah to make disposition of *khums* received from the funds of the other people.

All this was based on the ruling that profit from earnings was subject to *khums,* as being originally enacted by Islamic legislation which the Holy Prophet (¥) explained as a whole to the people and in detail to Imam `Al¢ (‘a), as indicated by the unrestrictedness of the holy verse involved

1- Sayyid Abu’l-Q¡sim al-Kh£'¢, *Mustanad al-`Urwah al-Wuthq¡, Kit¡b al-Khums,* pp. 197-198.

and the purport of some traditions.

(2) Some scholars, however, have argued that the question of profits on earnings that are subject to *khums* was not clarified in the original Islamic legislation; rather, it was one of the issues left for the Holy Imams of the Ahl al-Bayt (‘a) to determine within the expansive authorities that the Holy Prophet (¥) gave them in the field of enacting certain laws appertaining to the general affairs of the Muslim community within the boundaries of financial issues.[1]

On the grounds of this opinion, we can explain the unfamiliarity of the Sh¢`ah, in general, that profit of earnings were subject to *khums* up to the age of Imam al-B¡qir and Imam al-¯¡diq (‘a). This explanation is as follows:

The Holy Imams (‘a) had not executed this ruling before the age of these two Imams (‘a) because there had been no need for this financial resource before that age. However, when need for it surfaced, because of the growth and perfection of the virtuous community and the need for funds to fill the financial gap of meeting its needs and spending on the individuals of this community, this law was carried out.

1- Refer to Sayyid Abu’l-Q¡sim al-Kh£'¢, *Mustanad al-`Urwat al-Wuthq¡, Kit¡b al-Khums*, pp. 196; *Bu¦£th fi’l-Fiqh, Kit¡b al-Khums* 2:43.

The Role of Khums in Improving the Economic Conditions of the Virtuous Community

Khums on profits of earnings have continually been the most important financial resource in the economic system of the virtuous community. A large variety of public and private expenses of the virtuous community depends, in essence, on these funds, especially in the field of public affairs. Besides, there are other aspects which assign an additional significance to *khums* in the general system of the virtuous community.

To get a good idea of the complete portrait of the hypothetical and applied functions of *khums* in relation to the economic conditions of the virtuous community, we will display a number of general aspects.

Khums as a financial resource

Khums, along with properties for public and restricted use endowed as *waqf*, largely represent the main financial resources on which the general system of the virtuous community depended, especially after the doors were blocked to other financial resources, including *zak¡t* which was paid to the ruling authorities or to needy people directly, tributes which were seized by the ruling authorities, and other public funds that found their way to the public treasury after being levied from the Muslim regions.

As has been previously maintained, no community can build its social, political and cultural structure without the existence of funds to cover its expenses. As for the virtuous community which was built by the Ahl al-Bayt (‘a), the political and social circumstances did not allow any other financial resources on which this community could depend, like common contributions or investments, because such economic activities became more of a menace and, at times, an extra economic burden that the majority of the individuals of the virtuous community, who were generally poor, would not be able to pay.

Flexibility in Khums Taxation

Khums has always been owned by the Holy Imams of the Ahl al-Bayt (‘a), or was the right of Imamate and the leadership restricted to the Imams (‘a), and they had unrestrained authority to dispose these funds. The circle of expending these funds has widened, for it includes the rights of poor Sayyids and Hashemites for whom Almighty Allah determined as compensation for *zakįt* and alms which are prohibited for their use. These rights have been granted to these Sayyids and Hashemites because the funds were originally possessed by the Holy Imams (‘a); therefore, the Imam (‘a) is responsible for meeting any deficiency in the expenses of the Sayyids and spending the remainder of these funds on public affairs. As a matter of fact, the logic of meeting the financial needs of Sayyids from *khums* is that they are clean and pure funds and not excess or left over funds of people, as stated previously.

The Imam (‘a), or the religious referential authority that represents him, are granted flexibility and opportunity to use these funds in various fields of public interest. The Holy Imams of the Ahl al-Bayt (‘a) confirmed this in the expenditure of *khums* to such a great degree that they

allowed their Sh¢`ah to dispose the *khums* funds, and even give them back to their owners when interest necessitated, as is in the aforesaid narration of Ab£-Sayy¡r Musmi` ibn `Abd al-Malik.[1]

Expansive Financial Capacities

Because *khums* entails a high percentage of the totality of public wealth, it grants the the Imam (the custodian of this fund) vast financial capacity to serve Muslims and the sacred goals of the Islamic mission. *Khums* is levied from all essential funds that man may gain—in the words of the Holy Qur'¡n—minerals, earnings from diving, spoils of war and other income. Accordingly, *khums* is very much more important than alms and *zak¡t* because of this high percentage. The importance of *khums* in the profit of earnings increases when we recognize there was a general economic inclination among the Ahl al-Bayt's followers towards commerce and agriculture. Being a vital element in *khums*, there was much attention paid to commerce by the Ahl al-Bayt.

Security against enemies

Being 'invisible funds', according to the jurisprudential classification of funds, the payment of *khums* on net earnings to the Holy Imams of the Ahl al-Bayt ('a) does not draw the attention of their enemies; therefore, it is not considered a menace that threatens the security of the Holy Imams ('a), unlike the payment of the 'visible funds', such as the *zak¡t* of cattle and yields, which were usually assessed and estimated by the ruling authorities.

1- Refer to al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:382, H. 12.

Additionally, earnings subject to *khums* was not familiar among Muslims in general; therefore, the payment of this tax to the Holy Imams (‘a) did not arouse doubts about the movement or promulgation of the concept of Imamate in the milieus of their followers. As a result, their security was maintained and dangers stemming from the process of payment and collection of these taxes avoided.

Doctrinal and spiritual aspects

There are some doctrinal and spiritual aspects in the process of payment and collection of *khums* which increases the importance of the role this tax plays in the life of the virtuous community. To put this in plain words, *khums* is the right of the Ahl al-Bayt (‘a); therefore, paying it manifests a belief in their right and in the fact that their rights had been violated. Likewise, it expresses loyalty to them, which includes love, affection, fulfillment of covenants and pledges made to them, and financial support.

According to a tradition, *khums* is the right of leadership; hence, to pay it to the Ahl al-Bayt (‘a) denotes believing in their Imamate and leadership. A doctrinal aspect that exists in *khums* exclusively is that it is unlike *zak¡t* which is paid to the poor. Therefore, to pay *khums* to the Ahl al-Bayt (‘a) is also another form of showing preference to them over other groups in the society, elevating them far above people’s unused excess funds and confirming their exclusive right to receive the *khums* funds.

Organizational aspect

The payment of *khums* to the Ahl al-Bayt (‘a) represents an organizational aspect in the system of the virtuous community. It symbolizes the connection of its individuals to the leadership and the *religious referential authority* through financial participation in the administration of the

virtuous community and meeting public expenses made through the Imam (‘a) or the *religious authority*. Of course, such participation implies affiliation to and membership in the virtuous community. It is thus similar to the financial contributions of members of collective organizations and associations.

Actual aspect

The Holy Imams of the Ahl al-Bayt (‘a) and the virtuous community historically demonstrate that *khums* was the most vital axis of all financial resources on which the virtuous community depended in administering its various affairs.

We now refer to a set of important faculties, issues and projects that were financially run through the funds of *khums*:

(1) Religious seminaries and cultural schools in various countries: in such faculties and schools, study is free-of-charge and instructors and teachers, in addition to researchers and investigators, usually receive nothing as remuneration for their efforts.

(2) Expenses of foreign scholars, propagators, and instructive missionaries.

(3) Expenses of printing and publishing religious books, such as books of practical laws and verdicts, religious teachings, theses in fields of Muslim jurisprudence, fundamentals of jurisprudence (*u¥£l*), and reporting the traditions (¦*ad¢th*), as well as other articles, magazines, and periodicals.

(4) Construction and administration of mosques, °usayniyyahs, shrines of the Holy Imams (‘a) and their saintly descendants, religious schools and dormitories

therein, housing for married students of religious studies, public libraries, and all sorts of religious establishments.

(5) Funds needed for managing religious associations of various activities founded for serving Islam.

(6) Funds needed for holding religious festivities and public ceremonies for commemorating the uprising and martyrdom of Imam al-°usayn (‘a).

(7) Aid for unexpected events, such as earthquakes, floods, and other natural disasters, as well as some public services, such as public baths, bridges and overpasses, and public accommodations for pilgrims and the like.

(8) Meeting the financial needs of the poor, the destitute, and the needy who are in urgent need of financial help, whether they are Hashemites or descendants of the Holy Prophet (¥), in particular, who are entitled to something from the share of the Sayyids, or the poor, the destitute, and the needy individuals of the virtuous community. Of course, all uses of *khums* must be under the supervision and permission of the supreme religious referential authority.

From the above, we can perceive the great role that this financial duty has played in the building of the virtuous community, especially *khums* from the profit of earnings.

RESTRICTED SOCIAL SOLIDARITY

Social solidarity, shown by undertaking individual responsibility towards financial issues related to the lives and livelihoods of Muslims, is one of the principles towards which Islam has called people. This is maintained by many traditions some of which will be cited in this chapter.

Through a valid chain of authority, Shaykh al-Kulayn¢, in his book of *al-K¡f¢*, has reported Imam al-¯¡diq (‘a) as saying:

الْمُسْلِمُ أَخُو الْمُسْلِمِ؛ لاَ يَظْلِمُهُ وَلاَ يَخْذُلُهُ وَلاَ يَخُونُهُ. وَيَجِقُّ عَلَى الْمُسْلِمِينَ الإِجْتِهَادُ فِي التَّوَاصُلِ وَالتَّعَاقُدِ عَلَى التَّعَاطُفِ وَالْمُوَاسَاةُ لأَهْلِ الْحَاجَةِ وَتَعَاطُفِ بَعْضِهِمْ عَلَى بَعْضٍ حَتَّى تَكُونُوا كَمَا أَمَرَكُمُ اللهُ عَزَّ وَجَلَّ، رُحَمَاءَ بَيْنَكُمْ مُتَرَاحِمِينَ مُغْتَمِّينَ

Muslims are brothers of each other. They neither wrong, nor disappoint, nor betray each other. The duties that are incumbent on Muslims towards each other include establishing communication, showing mutual sympathy, treating the needy as they treat themselves and empathizing with one another. If you abide by this, you will be as Almighty Allah has ordered you to be: compassionate and merciful towards one another and regretful upon missing any opportunity to help your brethren-in-faith, just like the conduct of the An¥ir during the lifetime of the Messenger of Allah (¥).[1]

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 8:542, H. 2.

لِمَا غَابَ عَنْكُمْ مِنْ
أَمْرِهِمْ عَلَى مَا
مَضَى عَلَيْهِ مَعْشَرُ
الأَنْصَارِ عَلَى عَهْدِ
رَسُولِ اللهِ صَلَّى اللهُ
عَلَيْهِ وَآلِهِ وَسَلَّمَ.

As far as the virtuous community is concerned, the Ahl al-Bayt (¥) emphasized this as a serious responsibility to be undertaken by the wealthy individuals of the virtuous community towards their brethren-in-faith.

Traditions reported from the Ahl al-Bayt (‘a) emphasize two main areas:

(1) Public Alms

Many texts and traditions, reported from the Ahl al-Bayt (‘a), demonstrate the significance of giving alms and the good results ensuing from them. However, the most important point manifested in this regard is that some traditions have confirmed that there is another *public* financial duty, in addition to *zak¡t*, imposed on Muslims. This duty has been mentioned in the following holy verse, which avers the obligation of paying an amount out of the funds of yields in the season of harvest before estimating the percentage of *zak¡t*. Accordingly, some scholars, such as Shaykh al-±£s¢, issued a verdict deeming it obligatory to pay such an amount.[1]

The holy verse involved is the following:

1- Shaykh al-±£s¢, *al-Khil¡f* 2:5. The same verdict was issued by al-Jaw¡d al-K¡¨im¢, as is understood from his defense of Shaykh al-±£s¢’s school of jurisprudence. Refer to al-Jaw¡d al-K¡¨im¢, *Mas¡lik al-Afh¡m il¡ ªy¡t al-A¦k¡m* 2:70.

Pay the due of it on the day of its reaping. (6:141)

﴿ كُّوا حَقَّهُ ﴾

Through a valid chain of authority, Shaykh al-Kulayn¢, in his book of *al-K¡f¢*, has reported Zur¡rah, Mu¦ammad ibn Muslim, and Ab£-Ba¥¢r as quoting Imam al-B¡qir (‘a) to have said:

﴿ كُّوا حَقَّهُ ﴾ هَذَا مِنَ الصَّدَقَةِ. يُعْطِي الْمُسْلِمُونَ الْقَبْضَةَ بَعْدَ الْقَبْضَةِ وَمِنَ الْجِدَادِ الْحَفْنَةَ بَعْدَ الْحَفْنَةِ حَتَّى يَفْرُغَ.

The verse, “pay the due of it on the day of its reaping” (6:141), mentions a sort of alms. Muslims give one sheaf after another and from the fruit of date trees one handful after another until it pours out.[1]

Bearing the same purport, other narrations, interpreting the holy verse that reads, “*Those, in whose wealth there is a fixed portion for him who begs and for him who is denied good”* (70:24-25) have confirmed that this portion is a financial duty, other than *zak¡t*, which is flexible. Its amount has been left for the owner of the property to give at a definite time but in any amount that he identifies.

In this connection, Shaykh al-Kulayn¢, in his book of *al-K¡f¢*, has reported through a valid chain of authority that al-Q¡sim ibn `Abd al-Ra¦m¡n al-An¥¡r¢ said that he heard Imam al-B¡qir (‘a) relating the following:

One day, a man came to my father, `Al¢ ibn al-°usayn (‘a), and asked him to identify the *fixed portion* mentioned in this holy verse, “*Those in whose wealth there is a fixed portion for him who begs and for him who is denied good*. (70:24-25)”

1- Shaykh al-Kulayn¢, *al-K¡f¢* 3:565, H. 2.

The Imam (‘a) said:

الْحَقُّ الْمَعْلُومُ، الشَّيْءُ يُخْرِجُهُ مِنْ مَالِهِ لَيْسَ مِنَ الزَّكَاةِ وَلاَ مِنَ الصَّدَقَةِ الْمَفْرُوضَتَيْنِ.

The fixed portion is a duty, other than *zakit* and alms, which one pays from one’s funds.

The man asked, “If it is neither *zak¡t* nor alms, what is it then?”

The Imam (‘a) answered:

هُوَ الشَّيْءُ يُخْرِجُهُ الرَّجُلُ مِنْ مَالِهِ، إِنْ شَاءَ أَكْثَرَ وَإِنْ شَاءَ أَقَلَّ، عَلَى قَدْرِ مَا يَمْلِكُ.

It is the portion that one pays from one’s funds according to one’s property. One can pay much or little, according to one’s will.

The man asked, “What is that portion used for?”

The Imam (‘a) answered:

يَصِلُ بِهِ رَحِماً، وَيُقَوِّي بِهِ ضَعِيفاً، وَيَحْمِلُ بِهِ كَلاًّ، أَوْ يَصِلُ بِهِ أَخاً لَهُ فِي اللهِ، أَوْ لِنَائِبَةٍ تَنُوبُهُ.

One may make firm relations with one’s relatives, financially strengthen a destitute person, alleviate someone’s burden, improve relations with one’s brothers-in-faith, or aid someone in misfortune.

Impressed by the Imam’s knowledge, the man quoted:

“Allah knows best where He places His message. (6:124)”[1]

However, master jurisprudents have not determined these two matters to be obligatory although authentically and

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:29, H. 6.

validly reported traditions indicate the latter,[1] assuming that there are other traditions contradicting these. As a result, these financial duties must be thought of as recommended (according to the principles of *U¥£l al-Fiqh*). Additionally, there is a scholarly consensus on the non-obligation of paying such financial duties openly, i.e. under all circumstances. Excepted from this consensus is the verdict of Shaykh al-±£s¢ who, in one of his opinions, has decided the payment of the earlier financial duty as obligatory.

From the previous discussion, we may conclude that such inconsistency in the traditions reported from the Ahl al-Bayt (‘a) on this topic should be taken to mean one of the following two probabilities:

(1) Such sorts of payments are strongly recommended (*musta¦abb*), because they achieve social solidarity to an extent that corresponds with the circumstances surrounding each individual of the Muslim community.

(2) Such payments are provisionally obligatory; i.e. obligatory under certain circumstances and conditions. The Holy Imams of the Ahl al-Bayt (‘a) deemed these payments obligatory out of their understanding of the nature of the social obligations of that age, which would have been inescapably observed by the individuals of that community. Having not been decided as obligatory in the original Islamic legislation, this duty was, therefore, deemed obligatory by the religious referential authorities within the general responsibilities that they had to undertake towards the Muslim community and interests that contributed to

1- Refer to al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 6:27-32, S. Financial Duties other than *zak¡t* (*b¡b al-¦uq£q f¢'l-m¡l siw¡ al-zak¡t*).

social solidarity with the poor.[1]

No matter which probability is closer to the fact, the Holy Imams of the Ahl al-Bayt (‘a), having worked towards building the virtuous community, took much interest in the issue of social solidarity, seeing it as one of the foundations of attaining an ideal economic condition.

(2) Rights of Brethren-in-Faith

The Holy Imams of the Ahl al-Bayt (‘a) laid much emphasis on the existence and observation of a set of rights and duties that a faithful believer must undertake towards his brethren-in-faith; i.e. the members of the virtuous community. Among these duties are aiding others financially to cover their needs and meet their requirements.

This emphasis has been taught in a number of ways.

First: The Holy Imams (‘a) confirmed that the observation of these rights is one of the actual and real obligations that must be carried out by faithful people, just like other religious duties and responsibilities.

According to a validly reported tradition, Shaykh al-Kulayn¢, in his book of *al-K¡f¢*, has reported Sum¡`ah to have said:

I asked Imam al-¯¡diq (‘a), “If some people are wealthy, but their brethren-in-faith are too needy to be satisfied with *zak¡t* funds, are the wealthy people permitted to fill themselves in difficult times while their brethren-in-faith are hungry?”

1- This notion can be treated as a religious principle on the strength of which the Muslim government imposes taxes according to its understanding of public interests.

Besides the tradition already cited on p. 92, as reported by Shaykh al-Kulayn¢ in his book of *al-K¡f¢* from Fur¡t ibn A¦naf, Imam al-¯¡diq (‘a) said:

أَيُّمَا مُؤْمِنٍ مَنَعَ مُؤْمِناً شَيْئاً مِمَّا يَحْتَاجُ إِلَيْهِ وَهُوَ يَقْدِرُ عَلَيْهِ مِنْ عِنْدِهِ أَوْ مِنْ عِنْدِ غَيْرِهِ، أَقَامَهُ اللهُ يَوْمَ الْقِيَامَةِ مُسْوَدّاً وَجْهُهُ، مُزْرَقَّةً عَيْنَاهُ، مَغْلُولَةً يَدَاهُ إِلَى عُنُقِهِ، فَيُقَالُ: هَذَا الْخَائِنُ الَّذِي خَانَ اللهَ وَرَسُولَهُ. ثُمَّ يُؤْمَرُ بِهِ إِلَى النَّارِ.

If any believer (mu'min) refrains from meeting the needs of another believer while he can do so or he can mediate with another person who can do it, Almighty Allah will resurrect him black-faced, downcast-eyed, and having his hands attached to his neck. Then, he will be introduced as a traitor who has betrayed Almighty Allah and His Messenger and will be led to the Hellfire by a divine command.[1]

Thus, this financial duty is a restricted obligation upon wealthy individuals under circumstances of harsh destitution. It becomes obligatory when a government or the Muslim society fails to assure the livings of deprived destitute people.

Second: The Holy Imams (‘a) explained that this duty was obligatory on individuals; however, it was still regarded as one of the duties that is difficult to impose generally and all-inclusively because people may abandon their faith or individuals of the virtuous community may shun carrying it out. This means that this duty is one of the private

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 11:599, H. 1.

obligations that must be carried out in general for the purpose of solidifying the organizational structure of the virtuous community, strengthening the general relations among its individuals and promoting feelings of responsibility towards this duty even if it is treated as recommended. However, it becomes obligatory under certain conditions of harsh destitution.

Mufa¤¤al ibn Yaz¢d has reported Imam al-¯¡diq (‘a) as saying:

أَنْظُرْ مَا أَصَبْتَ فَعُدْ بِهِ عَلَى إِخْوَانِكَ، فَإِنَّ اللهَ يَقُولُ: ﴿ ﴾ قَالَ رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ: ثَلاَثَةٌ لاَ تُطِيقُهَا هَذِهِ الأُمَّةُ: الْمُوَاسَاةُ لِلأَخِ فِي مَالِهِ، وَإِنْصَافُ النَّاسِ مِنْ نَفْسِهِ، وَذِكْرُ اللهِ عَلَى كُلِّ حَالٍ. وَلَيْسَ هُوَ: سُبْحَانَ اللهِ وَالْحَمْدُ لِلهِ وَلاَ إِلَهَ إِلاَّ اللهُ وَاللهُ أَكْبَرُ، فَقَطْ؛ وَلَكِنْ إِذَا وَرَدَ عَلَى مَا يُحَرِّمُ، خَافَ اللهَ.

Whatever you gain (from the money of the ruler), you may donate it to your brethren-in-faith, for Almighty Allah says, “Surely, good deeds take away evil deeds.” (11:114) Allah’s Messenger (¥) has said, “Three acts of conduct cannot be neglected by the individuals of this nation: (1) Halving one’s funds with brethren-in-faith, (2) treating people justly in personal issues, and (3) remembering Almighty Allah under all circumstances. To remember Almighty Allah does not mean just to utter such statements of praise for Him like ‘Glory be to Allah’, ‘praise be to Allah’, ‘there is no god save Allah’, and ‘Allah is the All-great’; rather, it means to fear Him before committing a forbidden act.[1]

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 8:415, H. 4.

Third: The Holy Imams (‘a) confirmed that such duties symbolized a morally perfect character without which one fell short of the required qualification of a true faithful believer, which is the main purpose behind the building of a virtuous community.

Ab¡n ibn Taghlib has reported the following:

While I was performing the ritual circumambulation (*§awiff*) in the company of Imam al-¯idiq (‘a), one of our fellows, who had previously asked me to accompany him on a mission, appeared before me. As he signaled to me, Imam al-¯idiq (‘a) saw us, “O Abin, are you the one intended by that man?” asked the Imam (‘a).

“Yes, I am,” I answered.

“Is he of the same faith as you?” wondered the Imam (‘a).

“Yes, he is,” I answered.

“Then,” the Imam (‘a) instructed, “Go with him and break your circumambulation.”

“Should I do so even if the circumambulation is obligatory?” I asked.

“Yes, you should,” he (‘a) answered.

So, I went with that man. When I returned, I visited the Imam (‘a) and asked him about the duties towards brethren-in-faith.

“Leave the matter. Do not ask me about them,” said the Imam (‘a).

Nevertheless, I repeated the same question insistently until the Imam (‘a) answered me, saying, “O Abin, (the duty towards one’s brother-in-faith is that) you give him half of your wealth.”

As he looked at me and noticed my surprise, the Imam (‘a) said, “O Abin, you should have known that Almighty Allah has mentioned (with praise) those who give others

preference over themselves?"

"Yes, I knew that," I answered.

The Imam (ʻa) said:

إِذَا قَاسَمْتَهُ لَمْ تُؤْثِرْهُ، إِنَّمَا تُؤْثِرُهُ إِذَا أَنْتَ أَعْطَيْتَهُ مِنَ النِّصْفِ الآخَرِ.

"If you give your brother-in-faith half of what you have, you have not yet given him preference over yourself. Only when you give him from the other half, have you given him preference."[1]

Imam `Al¢ Am¢r al-Mu'min¢n (ʻa) is reported to have said:

سِتُّ خِصَالٍ مَنْ كُنَّ فِيهِ كَانَ بَيْنَ يَدَيِ اللهِ وَعَنْ يَمِينِهِ: إِنَّ اللهَ يُحِبُّ الْمَرْءَ الْمُسْلِمَ الَّذِي يُحِبُّ لِأَخِيهِ مَا يُحِبُّ لِنَفْسِهِ، وَيَكْرَهُ لَهُ مَا يَكْرَهُ لِنَفْسِهِ، وَيُنَاصِحُهُ الْوِلاَيَةَ، وَيَعْرِفُ فَضْلِي، وَيَطَأُ عَقِبِي، وَيَنْظُرُ عَاقِبَتِي.

Whoever enjoys the following six features will be before and on the right hand side of Almighty Allah: Almighty Allah surely loves the Muslim individual who (1) loves for his brother-in-faith all that which he loves for himself, (2) hates for him whatever he hates for himself, (3) acts towards him sincerely on account of bonds of faith, (4) recognizes my leadership, (5) patterns himself after my example, and (6) accepts the government of my progeny.[2]

Master jurisprudents are not known for having determined that this sort of spending is obligatory although there are a

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 8:547-548, H. 16.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 8:549, H. 23.

good number of traditions and reported texts indicating this obligation. Thus, they have specified this matter to be emphatically recommended (*isti¦b¡b mu'akkad*).[1] The reason for this may be to achieve the principle of social solidarity, or that this duty is an executive, local (i.e. temporary) procedure taken by the Ahl al-Bayt (‘a) to put this originally obligatory principle into practice by leaving its application to the *religious referential authority*.

1- Al-°urr al-`ªmil¢ seems to have decided these sorts of almsgiving as obligatory. This idea is derived from the titles that he uses for the sections containing traditions involved in this topic. For instance, he uses the title *b¡b ta¦r¢m man` al-mu'min shay'an min `indih¢ aw min `indi ghayrih¢ `inda ¤ar£ratih¢* (Chapter on prohibition against depriving a faithful believer of anything from himself or from others when necessary) and also *b¡b ta¦r¢m tark ma`£nat al-mu'min `inda ¤ar£ratih¢* (Chapter on prohibition of forsaking necessary aid to faithful believers). Likewise, Martyr al-¯adr, in his book of *iqti¥¡dun¡* (Our Economy), seems to believe in the obligation of the first duty, yet with the aforementioned stipulation. Finally, Almighty Allah knows best.

Chapter Three
Economic Activity

1. Encouraging Economic Activity

2. General Trend of Economic Activity

3. Direction of Economic Activity

PREAMBLE

The general economic activity of the virtuous community, as well as its financial capacity and public income, is looked upon as one of the most important issues on which the fiscal power of the virtuous community—plus its capability of movement and protection against dangers and perils and steadfastness against difficulties and pressures—depends. Without taking this issue into consideration, no community can attain perfection or survive the vicissitudes of time.

We have previously referred to the fact that Islam has paid much attention to the economic aspect. For instance, the great financial potential of Lady Khad¢jah al-Kubr¡ (‘a) played an extremely vital role in helping Muslims withstand ordeals and resist the financial siege which was imposed upon them at the beginning of the promulgation of Islam.

ENCOURAGING ECONOMIC ACTIVITY

While establishing the economic aspect, the Ahl al-Bayt (‘a) instituted a general principle for their followers, educated them about it and implanted it in their social culture. This general principle was the principle of work and exertion of all possible efforts to earn a livelihood. The Ahl al-Bayt (‘a) disallowed reliance on others to meet one’s financial needs, considering work to this end to be among the obligatory sacred deeds that draw one nearer to Almighty Allah.

In an authentic tradition, Shaykh al-Kulayn¢ reported `Umar ibn Yaz¢d to have said to Imam al-¯¡diq (‘a), “A man decides to stay at home and he offers prayers, fasts and performs devotional acts, believing that his sustenance will inevitably find its way to him. What is your opinion about such an act?”

The Imam (‘a) commented:

هَذَا أَحَدُ الثَّلاَثَةِ الَّذِينَ لاَ يُسْتَجَابُ لَهُمْ.

This man is among one of the three categories of people whose prayers are never responded to.[1]

According to another authentic tradition that is reported from `Umar ibn Yaz¢d, Imam al-¯¡diq (‘a) said:

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:77, H. 1.

أَرَأَيْتَ لَوْ أَنَّ رَجُلاً دَخَلَ بَيْتَهُ وَأَغْلَقَ بَابَهُ، أَكَانَ يَسْقُطُ عَلَيْهِ شَيْءٌ مِنَ السَّمَاءِ؟

If a man were to enter his house and lock its door, would anything fall on him from the heavens?[1]

Ayy£b, the brother of Ad¢m ibn Bayy¡` al-Haraw¢, is reported to have said that he and some others were sitting in the presence of Imam al-¯¡diq (‘a) when al-`Al¡' ibn K¡mil came and sat in front of the Imam (‘a) and asked, “Pray to Almighty Allah to provide me with easy sustenance.”

The Imam (‘a) answered:

لاَ أَدْعُو لَكَ! أَطْلُبْ كَمَا أَمَرَكَ اللهُ عَزَّ وَجَلَّ.

No, I will not. You must seek sustenance as Almighty Allah has ordered you to do.[2]

This struggle to seek sustenance has been elevated to such a degree that it has attained the rank of *jihad* or even higher.

In an authentic tradition, al-°alab¢ has reported Imam al-¯¡diq (‘a) as saying:

الْكَادُّ عَلَى عِيَالِهِ كَالْمُجَاهِدِ فِي سَبِيلِ اللهِ.

He who works to provide his dependents with sustenance is like a *mujihid* who fights for the sake of Almighty Allah.[3]

According to another authentic tradition, Zakariyy¡ ibn ªdam has reported Imam al-Ri¤¡ (‘a) as saying:

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:77, H. 2.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:78, H. 3.
3- Shaykh al-Kulayn¢, *al-K¡f¢* 5:88, H. 1.
This section and the following ones bear positive traditions that demonstrate this concept.

الَّذِي يَطْلُبُ مِنْ فَضْلِ اللهِ، عَزَّ وَجَلَّ، مَا يَكُفُّ بِهِ عِيَالَهُ أَعْظَمُ أَجْراً مِنَ الْمُجَاهِدِ فِي سَبِيلِ اللهِ، عَزَّ وَجَلَّ.

He who seeks the grace of Almighty Allah to provide enough sustenance for his dependents will have a greater reward than fighting for the sake of Almighty Allah.[1]

Mu¦ammad ibn Marw¡n has reported Imam al-¯¡diq (‘a) as saying:

إِنَّ فِي حِكْمَةِ آلِ دَاوُودَ: يَنْبَغِي لِلْمُسْلِمِ الْعَاقِلِ أَنْ لاَ يُرَى ظَاعِناً إِلاَّ فِي ثَلاَثٍ: مَرَمَّةٍ لِمَعَاشٍ، أَوْ تَزَوُّدٍ لِمَعَادٍ، أَوْ لَذَّةٍ فِي غَيْرِ ذَاتِ مُحَرَّمٍ. وَيَنْبَغِي لِلْمُسْلِمِ الْعَاقِلِ أَنْ يَكُونَ لَهُ سَاعَةٌ يُفْضِي بِهَا إِلَى عَمَلِهِ فِيمَا بَيْنَهُ وَبَيْنَ اللهِ عَزَّ وَجَلَّ، وَسَاعَةٌ يُلاَقِي إِخْوَانَهُ الَّذِينَ يُفَاوِضُونَهُمْ وَيُفَاوِضُونَهُ فِي أَمْرِ آخِرَتِهِ، وَسَاعَةٌ يُخَلِّي بَيْنَ نَفْسِهِ وَلَذَّاتِهَا فِي غَيْرِ

The following statement is written in the book of wisdom of (Prophet) David’s household: A Muslim of sane mind must not be seen busy except in three pursuits: improving his livelihood, supplying himself with provisions for the life to come, and seeking lawful pleasures. A rational Muslim is also required to dedicate an hour to acts directed to Almighty Allah, another hour to meeting his brethren-in-faith to discuss the affairs of the Hereafter, and a third hour to gain lawful pleasures. The third hour helps him do the work of the first two hours properly.[2]

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:88, H. 2.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:87, H. 1.

مُحَرَّمٍ ، فَإِنَّهَا عَوْنٌ
عَلَى تِلْكَ
السَّاعَتَيْنِ.

The Ahl al-Bayt (‘a) provided excellent practical examples in order to emphasize the importance of work and clarified this principle empirically so that their followers would follow their examples.

According to an authentic tradition, `Abd al-Ra¦m¡n ibn al-°ajj¡j has reported Imam al-¯¡diq (‘a) as recounting the following:

Mu¦ammad ibn al-Munkadir used to say: I never thought that `Al¢ ibn al-°usayn (‘a) would leave a successor as excellent as himself until I saw his son, Mu¦ammad (‘a). I wanted to give him a lesson, but he gave me one. On a hot day, I went to al-Mad¢nah where I saw Imam al-B¡qir (‘a). I said to myself, “A great man of Quraysh working at this hour of day in search of the material world! I will certainly give him some advice.” I approached and gave a salutation. Still catching his breath, he returned my greeting. Sweat was pouring from his head and face because of the heat. I said, “May Allah help you! A great man of Quraysh is seeking worldly provisions at this time of the day! What will happen if death overtakes you in this situation?” He said, “If death overtakes me in this situation, I will be in a state of obedience to Almighty Allah. I am afraid of death only when I am committing a sin!” I said, “May Allah bless you! You are thoroughly right. I intended to give you advice but you gave it to me!”[1]

1- Shaykh al-Kulayn¢, *al-K¡f¢*: 5:73-74, ° 1.
Mu¦ammad ibn al-Munkadir was one of the superior master and most trustworthy scholars of Sunnis. He died in AH 130 or 131.
⇨

Mu¦ammad ibn `Adh¡fir has reported his father as saying:

Imam al-¯¡diq (‘a) gave my father one thousand and seven hundred dinars asking him to use it in business. The Imam (‘a) then said:

أَمَا إِنَّهُ لَيْسَ لِي رَغْبَةٌ فِي رِبْحِهَا، وَإِنْ كَانَ الرِّبْحُ مَرْغُوباً فِيهِ، وَلَكِنِّي أَحْبَبْتُ أَنْ يَرَانِيَ اللهُ، جَلَّ وَعَزَّ، مُتَعَرِّضاً لِفَوَائِدِهِ.

Verily, I do not have the desire to gain profits from this business even though profit is something desired; rather, I just want Almighty Allah to see me seeking His interests.

My father made a one hundred dinar profit from the business he undertook. The Imam (‘a), having been informed of this, rejoiced and had my father add the profit to the capital. When my father died and the investment was still with him, Imam al-¯¡diq (‘a) summoned me and wrote down, “May Allah grant wellbeing to you and us! I have given Ab£-Mu¦ammad one thousand seven hundred dinars to use them in business. So, please hand this amount over to `Umar ibn Yaz¢d.”

When I searched in my father’s register, I found the following written therein: “Ab£-M£s¡ has one thousand and seven hundred dinars invested with me, and I made a profit of one hundred dinars for him. `Abdull¡h ibn Sin¡n and `Umar ibn Yaz¢d have full acquaintance with the matter.”[1]

This section of the previous reference book comprises many narrations about the Ahl al-Bayt’s acting as examples to be followed.

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:76, H. 12.

General Trend of Economic Activity

The Holy Imams of the Ahl al-Bayt (‘a) founded a set of principles to be the general trend in the economic activities of their followers. The first principle was to seek sustenance without indolence by exerting all possible effort to provide for oneself through work.

Shaykh al-Kulayn¢ has reported, through a valid chain of authority, that Sad¢r asked Imam al-¯¡diq (‘a), “What is a man required to do to seek sustenance?”

The Imam (‘a) answered:

إِذَا فَتَحْتَ بَابَكَ وَبَسَطْتَ بِسَاطَكَ فَقَدْ قَضَيْتَ مَا عَلَيْكَ.

If you open the door [of your store] and stretch your rug [on which you exhibit your goods], you will have done perfectly what you are required to do.[1]

Al-±ayy¡r is reported to have said that Imam al-B¡qir (‘a) asked him, “What is your current profession or what kind of job are you currently doing?”

He answered, “I have no job.”

The Imam (‘a) instructed:

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:79, H. 1.

فَخُذْ بَيْتاً وَاكْنُسْ فَنَاءَهُ وَرُشَّهُ وَابْسُطْ فِيهِ بِسَاطاً، فَإِذَا فَعَلْتَ ذَلِكَ فَقَدْ قَضَيْتَ مَا وَجَبَ عَلَيْكَ.

"Betake yourself a store, sweep the confines, and stretch a rug therein. If you do so, you will have done perfectly what you are obligated to do."

The reporter said, "When I carried out the Imam's instruction, I was given ample sustenance."[1]

Ibn al-Qadd¡¦ has reported Imam al-¯¡diq ('a) as saying:

عَدُوُّ الْعَمَلِ الْكَسَلُ.

Laziness is the enemy of work.[2]

Imam M£s¡ al-K¡¨im ('a) is reported to have said:

قَالَ أَبِي، عَلَيْهِ السَّلاَمُ، لِبَعْضِ وِلْدِهِ: إِيَّاكَ وَالْكَسَلَ وَالضَّجَرَ، فَإِنَّهُمَا يَمْنَعَانِكَ مِنْ حَظِّكَ مِنَ الدُّنْيَا وَالآخِرَةِ.

My father said to one of his sons, "Beware of laziness and tedium, for they deprive you of your share of this world and the Hereafter."[3]

The second principle was commitment to seeking only legal sustenance. Almighty Allah, ordered man to seek of His sustenance and guaranteed it to him—provided it was sought through lawful means.

He, the Almighty, has thus said:

In heaven is your sustenance, and (also) that which you are promised. (51:22)

وَفِي السَّمَاءِ رِزْقُكُمْ وَمَا تُوعَدُونَ

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:79, H. 2.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:85, H. 1.
3- Shaykh al-Kulayn¢, *al-K¡f¢* 5:85, H. 2.

Complying with this divine instruction, the Holy Imams of the Ahl al-Bayt (ʿa) asserted that, while seeking sustenance, it is necessary to maintain balance between obligation and what Almighty Allah has determined for each individual. As a result, man is required to seek sustenance and, at the same time, be committed to the regulations and general rules determined by Islam, avoiding squandering or violations of these regulations.

Ab£-°amzah al-Thum¡l¢ has reported on the authority of Imam al-B¡qir (ʿa) that the Holy Prophet (¥) said in his famous sermon at the Farewell Pilgrimage:

أَلاَ إِنَّ الرُّوحَ الأَمِينَ نَفَثَ فِي رَوْعِي أَنَّهُ لاَ تَمُوتُ نَفْسٌ حَتَّى تَسْتَكْمِلَ رِزْقَهَا، فَاتَّقُوا اللهَ عَزَّ وَجَلَّ وَأَجْمِلُوا فِي الطَّلَبِ وَلاَ يَحْمِلَنَّكُمُ إِسْتِبْطَاءُ شَيْءٍ مِنَ الرِّزْقِ أَنْ تَطْلُبُوهُ بِشَيْءٍ مِنْ مَعْصِيَةِ اللهِ، فَإِنَّ اللهَ تَبَارَكَ وَتَعَالَى قَسَّمَ الأَرْزَاقَ بَيْنَ خَلْقِهِ حَلاَلاً وَلَمْ يُقَسِّمْهَا حَرَاماً. فَمَنِ إِتَّقَى اللهَ عَزَّ وَجَلَّ وَصَبَرَ أَتَاهُ اللهُ بِرِزْقِهِ مِنْ حِلِّهِ، وَمَنْ هَتَكَ حِجَابَ السِّتْرِ وَعَجَّلَ

Verily, the Trustworthy Spirit (the Angel Gabriel) inspired in me that no single soul will die before fully receiving its sustenance. So, (you must) fear Almighty Allah and seek sustenance. Do not make the delay in an amount of your sustenance incite you to seek it through an act of disobedience to Almighty Allah, for He, the Blessed and Exalted, has divided lawful sustenance, never unlawful sustenance, among His creatures. Therefore, whoever fears Almighty Allah and waits patiently, Almighty Allah will give him his lawful sustenance, but whoever ravages the curtain of protection and rushes to take his sustenance unlawfully, Almighty Allah will reduce it from his lawful sustenance and leave him to compensate for it on the Day of

فَأَخَذَهُ مِنْ غَيْرِ حِلِّهِ قُصَّ بِهِ مِنْ رِزْقِهِ الْحَلاَلِ وَحُوسِبَ عَلَيْهِ يَوْمَ الْقِيَامَةِ.

Resurrection.[1]

Ibr¡h¢m ibn Ab¢'l-Ball¡d has reported on the authority of his father that Imam al-B¡qir ('a) said:

لَيْسَ مِنْ نَفْسٍ إِلاَّ وَقَدْ فَرَضَ اللهُ، عَزَّ وَجَلَّ، لَهَا رِزْقَهَا حَلاَلاً يَأْتِيهَا فِي عَافِيَةٍ، وَعَرَضَ لَهَا بِالْحَرَامِ مِنْ وَجْهٍ آخَرَ. فَإِنْ هِيَ تَنَاوَلَتْ شَيْئاً مِنَ الْحَرَامِ قَاصَّهَا بِهِ مِنَ الْحَلاَلِ الَّذِي فُرِضَ لَهَا، وَعِنْدَ اللهِ سِوَاهُمَا فَضْلٌ كَثِيرٌ، وَهُوَ قَوْلُ اللهِ عَزَّ وَجَلَّ: **{كُلُوا}**

There is no single soul but that Almighty Allah has decided for it its sustenance to be gained in a lawful and wholesome way, but He has also determined the same sustenance if gained unlawfully; therefore, if a soul takes any of its sustenance in an unlawful manner, Almighty Allah will reduce it from its lawfully-earned sustenance, which He has determined. With Almighty Allah, however, there is much more grace than sustenance that is gained either lawfully or unlawfully, to which He has referred, saying, "Ask Allah of His grace.(4:32)"[2]

The third principle was to take considerable interest in preserving one's funds and maintaining equilibrium in spending in order to avoid both squandering and parsimoniousness.

Almighty Allah has said in the Holy Qur'¡n:

Those who, when they spend, are not extravagant and not

□ □ □ □ □ ی ی ی □

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:80, H. 1.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:80, H. 2.

niggardly, but hold a just balance between those extremes. (25:67)

The Ahl al-Bayt (‘a) also instructed that one’s funds must be cared for and managed personally, especially when such funds are considerable.

Tha‘labah and other narrators have reported that Imam al-¯¡diq (‘a) said:

إِصْلاَحُ الْمَالِ مِنَ الإِيمَانِ.

Proper management of funds is part of faith.[1]

D¡w£d ibn Sar¦¡n has reported that he once saw Imam al-¯¡diq (‘a) weighing dates with his own hands. He thus said to him, “May Allah accept me as ransom for you! You could have ordered one of your sons or servants to save you from this deed.”

The Imam (‘a) answered:

يَا دَاوُدُ، إِنَّهُ لاَ يُصْلِحُ الْمَرْءَ الْمُسْلِمَ إِلاَّ ثَلاَثَةٌ: التَّفَقُّهُ فِي الدِّينِ، وَالصَّبْرُ عَلَى النَّائِبَةِ، وَحُسْنُ التَّقْدِيرِ فِي الْمَعِيشَةِ.

O Diw£d, three matters can lead a Muslim to uprightness: (1) mastery in religious knowledge, (2) steadfastness against misfortune, and (3) good management of livelihood.[2]

Y£nus has reported that Imam al-¯¡diq (‘a) instructed him saying:

بَاشِرْ كِبَارَ أُمُورِكَ بِنَفْسِكَ، وَكِلْ مَا شَفَّ

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:87, H. 3.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:87, H. 4.

إِلَى غَيْرِكَ... ضَرْبَ أَشْرِيَةِ الْعَقَارِ وَمَا أَشْبَهَهَا.

manage minor dealings...major affairs include purchasing real estate and matters of a similar nature.[1]

The fourth principle is commitment to a policy of economization, which includes saving one's annual provisions, according to the religious law of Islam, so as to eliminate neediness and avoid requiring aid from others.

Al-°asan ibn al-Jahm has reported that he heard Imam al-Ri¤¡ (‘a) saying:

إِنَّ الإِنْسَانَ إِذَا أَدْخَلَ طَعَامَ سَنَتِهِ خَفَّ ظَهْرُهُ وَاسْتَرَاحَ. وَكَانَ أَبُو جَعْفَرٍ وَأَبُو عَبْدِاللهِ، عَلَيْهِمَا السَّلاَمُ، لاَ يَشْتَرِيَانِ عُقْدَةً حَتَّى يُحْرِزَا طَعَامَ سَنَتِهِمَا.

If one saves the provisions of a year, one's burdens will be light and one will rest. Ab£-Ja`far (al-Biqir) (‘a) and Ab£-`Abdullih (al-¯idiq) (‘a) did not purchase even a knot before they would have already saved provisions for that whole year.[2]

Ibn Bukayr has reported on the authority of Imam al-Ri¤¡ (‘a) that the Holy Prophet (¥) said:

إِنَّ النَّفْسَ إِذَا أُحْرِزَتْ قُوتَهَا إِسْتَقَرَّتْ.

Verily, after a person saves his (annual) provisions, he will certainly be stable.[3]

The fifth principle was autonomy in business such that the investments and profit of one's business would be one's

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:90-91, H. 1.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:89, H. 1.
3- Shaykh al-Kulayn¢, *al-K¡f¢* 5:89, H. 2.

own concern rather than dealing with partners.

Al-Mufa¤¤al ibn `Umar has reported that he heard Imam al-¯¡diq (‘a) saying:

مَنْ آجَرَ نَفْسَهُ فَقَدْ حَظَرَ عَلَى نَفْسِهِ الرِّزْقَ. وَكَيْفَ لاَ يَحْظُرُهُ وَمَا أَصَابَ فِيهِ فَهُوَ لِرَبِّهِ الَّذِي آجَرَهُ؟

Whoever becomes an employee of another has in fact banned sustenance on himself.[1] This is because whatever he gains goes to his employer.[2]

`Amm¡r al-S¡b¡§¢ has reported that he once said to Imam al-¯¡diq (‘a), “Men who are employed in business give whatever they earn to their employers.”

The Imam (‘a) commented:

لاَ يُؤَاجِرُ نَفْسَهُ، وَلَكِنْ يَسْتَرْزِقُ اللهَ عَزَّ وَجَلَّ وَيَتَّجِرُ، فَإِنْ آجَرَ نَفْسَهُ حَظَرَ عَلَى نَفْسِهِ الرِّزْقَ.

They must not accept to be used as employees; rather, they should seek Almighty Allah’s sustenance and work in business for themselves. If they accept to be used as employees, then they will have banned sustenance on themselves.[3]

The sixth principle was to distribute funds in a number of economic occupations and not invest everything in one area.

According to a valid tradition, Mu`ammar ibn Khall¡d has reported that he heard Imam al-Ri¤¡ (‘a) recounting the following:

A man came to Ja`far al-¯¡diq (‘a) to try to give him

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:90, H. 3.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:90, H. 1.
3- Shaykh al-Kulayn¢, *al-K¡f¢* 5:90, H. 3.

advice. “O Ab£-`Abdull¡h,” said the man, “Why have you separated the funds in scattered sectors. If they were all put in one occupation, it would be easier to supervise and provide greater benefit.”

The Imam (‘a) answered:

إِتَّخَذْتُهَا مُتَفَرِّقَةً، فَإِنْ أَصَابَ هَذَا الْمَالَ شَيْءٌ سَلِمَ هَذَا الْمَالُ، وَالصُّرَّةُ تَجْمَعُ بِهَذَا كُلِّهِ.

I have distributed them among various sectors so that if one sector loses, the other funds will be saved. At any rate, the total is the composite of all these funds.[1]

The seventh principle was avoidance of saving, storing, or transferring all of one’s funds into currency, gold, or silver. One should conduct business with one’s funds or transfer them into real estate, farms, or commercial enterprises.

Zur¡rah has reported that he heard Imam al-¯¡diq (‘a) say:

مَا يُخَلِّفُ الرَّجُلُ شَيْئاً أَشَدَّ عَلَيْهِ مِنَ الْمَالِ الصَّامِتِ... يَجْعَلُهُ فِي الْحَائِطِ، يَعْنِي فِي الْبُسْتَانِ أَوِ الدَّارِ.

No legacy is worse than money that lays stagnant...money must be transferred into estates; i.e. farms or houses.[2]

Through these principles, we get an idea about the general economic activities that the Ahl al-Bayt (‘a) determined for their followers.

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:91, H. 1.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:91, H. 2.

Directing Economic Activity

The Ahl al-Bayt (‘a) did not stop at principles; rather, they directed the economic activities of the virtuous community after examining the social, political and economic circumstances under which the Muslim community in general and the virtuous community in particular lived.

Common Activities

A general view of professions that produced greater benefit pointed out the following fields of economic activity:

(1) **Agriculture:** cultivating lands of the ruling regime (i.e. annexed lands), cultivating derelict lands, entering into a farm-sharing contract (*muz¡ra`ah*), or irrigating lands by digging wells and canals.

(2) **Animal Husbandry:** shepherding, providing fodder and in-house breeding.

(3) **Trade**: facilitating processes of exchanging money for goods, distribution of goods internally and externally through transport of goods to various regions and countries (i.e. import and export).

(4) **Manual labor**: weaving, saddle making, blacksmithing, construction, etc.

(5) **Extracting natural resources**: mining, diving, hunting and fishing.

(6) **Professions and crafts**: tailoring, goldsmithery,

tanning, preparation of medications, and similar professions and services.

(7) **Clerical jobs**: clerks, constabulary, jobs in the military forces, tax collection, employment, governorship and the like.

(8) **Cultural, educational, and the arts**: teaching, writing, oration, poetry, novel writing, drawing, sculpture, ornamentation, calligraphy, etc.

(9) **Complete avoidance of religiously forbidden professions**: sorcery, witchcraft, black arts, sale of wine and intoxicants, managing brothels and so on.

Of course, economic activities vary with regard to the social conditions and circumstances. However, except for forbidden earnings, these activities are necessary for human societies because they help in their perfection and, sometimes, some of these activities are even obligatory according to the religious code of Islamic law; that is, they are obligatory collectively upon the society and when some individuals carry out those activities such that the needs of society are met, the others will be released from responsibility in that regard.

In the past, the followers of the Ahl al-Bayt (‘a) would engage in a large variety of economic activities, other than those that were forbidden—a fact that can be understood from the reports on the religious laws appertaining to such activities. Other reports have also asserted that the followers practiced various activities and would ask the Holy Imams (‘a) about the details of laws pertaining to their jobs.

Forbidden Activities

The Ahl al-Bayt (‘a) prohibited their followers from practicing certain activities, previously mentioned as religiously forbidden professions.

According to an authentic tradition, Ab£-Ba¥¢r has reported that he asked Imam al-B¡qir (‘a) about the legality of occupying offices in the ruling regimes of unjust rulers.

The Imam (‘a) answered:

يَا أَبَا مُحَمَّدٍ، لاَ وَلاَ مُدَّةُ قَلَمٍ. إِنَّ أَحَدَهُمْ لاَ يُصِيبُ مِنْ دُنْيَاهُمْ شَيْئاً إِلاَّ أَصَابُوا مِنْ دِينِهِ مِثْلَهُ.

O Ab£-Mu¦ammad, never help them in any matter even if it be as trivial as handing them over a pen. No one can obtain any worldly benefits from them without losing a part of their faith in the same amount as the benefit.[1]

According to another authentic tradition, Ibn Ab¢-Ya`f£r has reported the following:

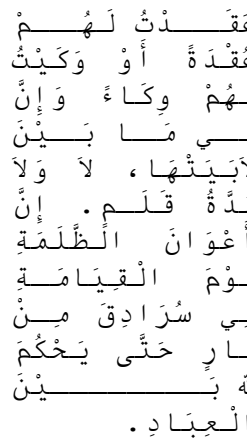
I was once in the presence of Imam al-¯¡diq (‘a) when one of our acquaintances (i.e. followers of our faith) visited him and said, “May Allah lead you to more success! One of us who is exposed to penury or indigence might be offered (by the despotic ruling authorities) employment to construct a building, clear waste from a river, or fix a beaver-dam. What is your opinion in this regard?”

The Imam (‘a) said:

مَا أُحِبُّ أَنِّي

I would never desire to do anything for them, even if it be as trivial as

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:129, H. 5; Shaykh al-Kulayn¢, *al-K¡f¢*, 5:107, H. 5.


عَقَدْتُ لَهُمْ عُقْدَةً أَوْ وَكَيْتُ لَهُمْ وِكَاءً وَإِنَّ لِي مَا بَيْنَ لاَبَتَيْهَا، لاَ وَلاَ مُدَّةُ قَلَمٍ. إِنَّ أَعْوَانَ الظَّلَمَةِ يَوْمَ الْقِيَامَةِ فِي سُرَادِقٍ مِنْ نَارٍ حَتَّى يَحْكُمَ اللهُ بَيْنَ الْعِبَادِ.

untying a knot or sewing a bag, even if they give me whatever lies between its (i.e. al-Mad¢nah) two extremes (i.e. mountains on either side). Definitely not! Even if it be handing over a pen. On the Day of Resurrection, the assistants of the tyrants shall be put under a canopy of fire and kept there until Almighty Allah finishes settling accounts with all His worshippers.[1]

Likewise, the Ahl al-Bayt (‘a) forbade their followers from practicing other banned activities that were common in that age, such as rearing girls for singing, using them as slaves, or selling them; selling forbidden things like corpses, blood, filthy things, and intoxicants; working for the benefit of the singing profession, sorcery, witchcraft, or black arts; cheating, counterfeiting, or working in prostitution in addition to other banned activities mentioned in the books of practical laws.

They also instructed their followers to avoid certain activities and occupations which were considered by them to be objectionable or requiring precaution. The reason for this was that such occupations required high proficiency in religious law to be practiced properly—either because ordinary people do not pay enough attention to details of religious requirements or because of certain subtle spiritual and moral aspects. Money-changing, goldsmithery, and butchery are examples of these objectionable economic

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:106-107, H. 5.

activities.

According to a valid tradition, Is¦¡q ibn `Amm¡r has reported that he once visited Imam al-¯¡diq (‘a) and informed him about the birth of his son, “May Allah accept me as ransom for you!” said Is¦¡q, “Which craft should I teach him?”

The Imam (‘a) answered:

إِذَا عَدَلْتَهُ عَنْ خَمْسَةِ أَشْيَاءَ فَضَعْهُ حَيْثُ شِئْتَ؛ لاَ تُسَلِّمْهُ صَيْرَفِيّاً فَإِنَّ الصَّيْرَفِيَّ لاَ يَسْلَمُ مِنَ الرِّبَا، وَلاَ تُسَلِّمْهُ بَيَّاعَ الأَكْفَانِ فَإِنَّ صَاحِبَ الأَكْفَانِ يَسُرُّهُ الوَبَاءُ إِذَا كَانَ، وَلاَ تُسَلِّمْهُ بَيَّاعَ الطَّعَامِ فَإِنَّهُ لاَ يَسْلَمُ مِنَ الإِحْتِكَارِ، وَلاَ تُسَلِّمْهُ جَزَّاراً فَإِنَّ الْجَزَّارَ تُسْلَبُ مِنْهُ الرَّحْمَةُ، وَلاَ تُسَلِّمْهُ نَخَّاساً فَإِنَّ رَسُولَ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، قَالَ: شَرُّ

If you turn him away from the following five crafts, you may then teach him any craft you like: (1) You must not put him in the craft of money-changing, because a moneychanger cannot avoid usury. (2) You must not involve him in the craft of coffin-selling, because a coffin-seller is pleased when a plague comes upon the people. (3) You must not involve him in food-brokerage, because monopoly rarely leaves a food-broker. (4) You must not teach him to be a butcher, because mercy and sympathy has been divested from butchers’ hearts. (5) You must not put him in the slave-trade, because Allah’s Messenger (¥) has said, “The most evil of all people are those who sell people.”[1]

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:114, H. 4.

النَّاسِ مَنْ بَاعَ النَّاسَ.

According to another validly reported tradition, ±al¦ah ibn Zayd reported on the authority of Imam Ja`far al-¯¡diq (‘a) that the Holy Prophet (¥) said:

إِنِّي أَعْطَيْتُ خَالَتِي غُلَاماً وَنَهَيْتُهَا أَنْ تَجْعَلَهُ قَصَّاباً أَوْ حَجَّاماً أَوْ صَائِغاً.

I have given my (maternal) aunt a slave-boy and I warned her against teaching him to be a butcher, a cupper, or a goldsmith.[1]

Ab£-Ism¡`¢l al-R¡z¢ (i.e. of Ray, currently Tehran), the sword-polisher, has reported that he visited Imam al-¯¡diq (‘a) carrying two garments. “Ab£-Ism¡`¢l,” The Imam (‘a) said, “I have been gifted many garments by you but none of them was as fine as these two.”

Ab£-Ism¡`¢l said, “May Allah accept me as ransom for you! These were spun by my wife and woven by me.”

The Imam (‘a) asked astonishingly, “Are you a weaver?”

“Yes, I am” Ab£-Ism¡`¢l answered.

The Imam (‘a) warned, “Do not be a weaver!”

Ab£-Ism¡`¢l asked, “If I do not, then what should I be?”

The Imam (‘a) instructed, “You may be a sword-polisher!”

Ab£-Ism¡`¢l commented: I had two dirhams with which I bought swords and antique mirrors. I then went to Ray and sold them at great profit.[2]

The Ahl al-Bayt (‘a), of course, demonstrated that these crafts are not objectionable in themselves, but rather are

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:114, H. 5.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:114, H. 6.

undesirable because they were attached to some complicated matters. They clarified that the warning against engagement in such crafts was because of confusing ethical and legal matters attached to them. On other occasions, they also confirmed that honesty must be present in every job.

According to a validly reported tradition, Imam `Al¢ Am¢r al-Mu'min¢n (‘a) has said:

إِنَّ اللهَ، عَزَّ وَجَلَّ، يُحِبُّ الْمُحْتَرِفَ الأَمِينَ.

Verily, Almighty Allah loves trustworthy professionals.[1]

Unambiguous Economic Activities

In addition to their directives in this field, the Ahl al-Bayt (‘a) chose for their followers a set of economic activities to be the main object of their attention and the center of their activities. In this respect, we will refer to three activities: commerce, agriculture (in its common sense), and utilization of real estate.

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:113, H. 1.

COMMERCE

Commerce is considered the chief and most important economic profession. It identifies market value and balances prices within the frame of supply and demand and in the field of production. Accordingly, commerce contributes largely to provide the vital necessities of human societies.

Founded on this fact, commerce had a special significance in the Islamic economic theory and was preferred over other economic activities.

The Ahl al-Bayt (‘a) used various methods of expression to urge engagement in business and commerce.

Clarifying the vital role of commerce, they are reported to have said that **nine tenths of sustenance or blessings lie in commerce.**[1]

They also declared that **commerce increased the dignity of man.**

Shaykh al-¯ad£q has reported al-Mu`all¡ ibn Khunays as saying:

As he noticed that I was late for work, Imam al-¯¡diq (‘a) urged me saying:

Go and join your dignity. أَغْدُ إِلَـى عِزِّكَ.

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:3-5, H. 3, 4, 5, 8, 12.

According to another tradition, Imam al-¯¡diq (‘a) said to one of his servants:

يَا عَبْدَ اللهِ، إحْفَظْ عِزَّكَ... غُدُوَّكَ إلَى سُوقِكَ وَ إكْرَامَكَ نَفْسَكَ.

O servant of Allah, watch over your dignity...it is to go to markets and honor yourself therein.[1]

Furthermore, the Ahl al-Bayt (‘a) declared that **doing business keeps men’s intellects sound.**

According to another valid tradition, Imam al-¯¡diq (‘a) is reported to have said:

تَرْكُ التِّجَارَةِ يُنْقِصُ العَقْلَ.

Abandonment of business reduces faculty of reason.[2]

Mu`¡dh, a garment seller, has reported that Imam al-¯¡diq (‘a) asked him, “O Mu`¡dh, have you become too weak to do business or have you forsaken it?”

Mu`¡dh answered, “Neither of these two!”

The Imam (‘a) thus asked for justification (about why he was not working), and Mu`¡dh explained, “I have more than enough money for my livelihood and I am not indebted to anyone. Hence, I do not think that I will consume all my savings up to my death.”

The Imam (‘a) instructed:

لاَ تَتْرُكْهَا، فَإنَّ تَرْكَهَا مُذْهِبَةٌ لِلْعَقْلِ. إسْعَ عَلَى عِيَالِكَ،

Do not forsake business, because forsaking it decreases one’s reason. Work for your dependents and never let

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:3-5, H. 2, 10, 12.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:6, H. 1.

وَ إِيَّاكَ أَنْ يَكُونُوا هُمُ السُّعَاةَ عَلَيْكَ.

them work for you.[1]

Burayd al-`Ujal¢ is reported to have asked his son-in-law Mu¦ammad ibn Muslim to ask Imam al-¯¡diq's opinion about a matter that he had decided to undertake, "Many deposits and funds have been given to me for safekeeping and I am anxious because of them. I would like now to forsake all worldly affairs and give these back to their owners."

When Mu¦ammad conveyed the matter to Imam al-¯¡diq (‘a), the Imam said:

يَا مُحَمَّدُ، أَيَبْدَأُ نَفْسَهُ بِالْحَرْبِ؟ لاَ، وَلَكِنْ يَأْخُذُ وَيُعْطِي عَلَى اللهِ عَزَّ وَجَلَّ.

O Mu¦ammad, is he intending to wage war against himself? No, he must not do thus; rather, he can receive (income) and give (to others) for the sake of Almighty Allah.[2]

The Ahl al-Bayt (‘a) also declared that doing business saves the virtuous community from begging.

Shaykh al-Kulayn¢ has reported on the authority of Mu¦ammad ibn Muslim on the authority of Imam al-¯¡diq (‘a) that Imam `Al¢ Am¢r al-Mu'min¢n (‘a) said:

تَعَرَّضُوا لِلتِّجَارَةِ، فَإِنَّ فِيهَا غِنىً لَكُمْ عَمَّا فِي أَيْدِي النَّاسِ.

Engage yourselves in business, because this will save you from being in need of what others hold in possession.

According to another tradition, the Imam (‘a) said:

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:6, H. 4.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:7, H. 9.

مَـنْ طَلَـبَ الـتِّجَـارَةَ إسْتَغْنَى عَنِ الـنَّـاسِ.

Whoever engages in business will cope without the help of others.[1]

Because of the significance and merits of commerce, the Holy Prophet (¥) engaged in business both with the capital of Lady Khad¢jah (‘a) and independently.

Referring to the noble characteristics of righteous people, the Holy Qur'¡n indicates that the righteous are engaged in business:

ٱ ٻ ٻ ٻ ٻ پ پ پ پ ڀ ڀ ڀ ڀ ٺ ٺ ٺ ٺ ٿ ٿ

...men whom neither merchandise nor selling divert from the remembrance of Allah and the keeping up of prayer and the giving of poor-rate; they fear a day in which the hearts and eyes shall turn about. (24:37)

Shaykh al-Kulayn¢, through a valid chain of authority, has reported that Asb¡§ ibn S¡lim said that he once visited Imam al-¯¡diq (‘a) who asked him about the manners of `Umar ibn Muslim. When he was informed that `Umar had given up business, the Imam (‘a) said:

عَمَلُ الـشَّيْطَـانِ!

This is the act of Satan!

Having repeated the same statement three times, the Imam (‘a) said:

أَمَـا عَلِمَ أَنَّ رَسُولَ اللهِ، صَـلَّى اللهُ عَلَيْـهِ وَآلِـهِ، إشْتَـرَى عِيـراً أَتَـتْ مِـنَ الـشَّـامِ

He should know that the Messenger of Allah (¥) purchased some camels that had been brought from Shim, settled his debts from the profits and

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:4, H. 11, 8.

distributed the remainder among his relatives. Almighty Allah says, “Men whom neither merchandise nor selling diverts from the remembrance of Allah....” Some storytellers claim that the men praised in this verse did not work! Such storytellers are liars. These (praised) men *were* engaged in business, but they would also never miss performing all the prayers in their (prescribed) times. They were superior to those who performed prayers but forsook business.[1]

فَاسْتَفْضَلَ فِيهَا مَا قَضَى دَيْنَهُ، وَقَسَّمَ فِي قُرَابَتِهِ؟ يَقُولُ اللهُ، عَزَّ وَجَلَّ: {ﭐ ﭑ ﭒ ﭓ ﭔ ﭕ ﭖ ﭗ ﭘ ﭙ...} يَقُولُ الْقُصَّاصُ إِنَّ الْقَوْمَ لَمْ يَكُونُوا يَتَّجِرُونَ. كَذِبُوا! وَلَكِنَّهُمْ لَمْ يَكُونُوا يَدَعُونَ الصَّلاَةَ فِي مِيقَاتِهَا، وَهُمْ أَفْضَلُ مِمَّنْ حَضَرَ الصَّلاَةَ وَلَمْ يَتَّجِرْ.

As has been previously cited, Imam al-¯¡diq (‘a) used to do business with his money through sleeping partnerships although he was not himself in need of money.

However, at the same time that the Ahl al-Bayt (‘a) urged their followers to engage in commercial activities, they warned them against involvement in ethical and religious problems that might accompany such activities.

Al-A¥bagh ibn Nub¡tah has reported that he heard Imam `Al¢ Am¢r al-Mu'min¢n (‘a) saying from the *minbar* (pulpit):

O group of traders, give priority to learning religious laws over engagement in business. Give priority to learning religious laws over engagement in business. Give priority to learning religious laws over engagement in business. By

يَا مَعْشَرَ التُّجَّارِ، الْفِقْهَ ثُمَّ الْمُتَّجَرَ، الْفِقْهَ ثُمَّ الْمُتَّجَرَ، الْفِقْهَ ثُمَّ الْمُتَّجَرَ. وَاللهِ،

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:6, H. 5.

لَلرِّبَا فِي هَذِهِ الأُمَّةِ أَخْفَى مِنْ دَبِيبِ النَّمْلِ عَلَى الصَّفَا. شُوبُوا إِيمَانَكُمْ بِالصِّدْقِ. التَّاجِرُ فَاجِرٌ، وَالْفَاجِرُ فِي النَّارِ، إِلاَّ مَنْ أَخَذَ الْحَقَّ وَأَعْطَى الْحَقَّ.

Allah (I swear), usury in this nation is more observed than ants' creeping on the Hillock of ¯afi. So, fuse your faith with honesty. Except those who give duly and take duly, a dealer is wicked and the wicked will be in Hellfire.[1]

Imam al-¯¡diq (‘a) has reported the Holy Prophet (¥) as saying:

مَنْ بَاعَ وَإِشْتَرَى فَلْيَحْفَظْ خَمْسَ خِصَالٍ وَإِلاَّ فَلاَ يَشْتَرِيَنَّ وَلاَ يَبِيعَنَّ: الرِّبَا، وَالْحِلْفَ، وَكِتْمَانَ الْعَيْبِ، وَالْحَمْدَ إِذَا بَاعَ، وَالذَّمَّ إِذَا إِشْتَرَى.

He who is engaged in buying or selling must avoid the following five things and, if not, must neither buy nor sell: (1) usury, (2) taking oaths, (3) concealment of an item's defects, (4) speaking highly of a commodity to be sold, and (5) finding fault with the commodity to be purchased.[2]

Objectives of Encouraging Commerce

In particular, the Ahl al-Bayt (‘a) encouraged their followers to engage in commerce because they intended to achieve definite objectives for the virtuous community. These objectives can be summed up in the following points:

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:150, H. 1.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:150-151, H. 2.

(1) Economic activity begets positive moral and spiritual results as mentioned in traditions already referred to. In plain words, economic activity is regarded as one of the most important social activities and people that engage in commerce gain the respect and esteem of others. All high-ranking personalities have engaged in economic commerce.

(2) Such business activities produce flexibility, freedom, and continuous motion. The nature of doing business requires activity, travel, and building expansive relations with various social milieus and provides flexibility in choosing how to spend one's time, how to invest one's capital, and what categories of people to deal with.

(3) Such activities earn sizeable profits for those who participate in them. According to some traditions one attains up to nine tenths of his sustenance through commerce. Such wealth increases the financial capacity of the virtuous community and ensures a definite and considerable financial resource to its administration through the *khums* that are levied from such assets.

AGRICULTURE

In its all-inclusive sense (which includes animal-husbandry) agriculture and agricultural investment are counted among the most important economic means for nations and communities both because they are chief sources of food and major sources of raw materials that are used in many essential, transformative and manual industries. Therefore, the Islamic economic theory has conferred upon agriculture the second level of importance after commerce and even the highest level under certain economic circumstances (such as a besiegement) or for certain social classes (such as working class). Moreover, no nation or community can ever achieve ideal independence unless there is sufficiency in agricultural production.

Increasing its importance, the funds obtained from agricultural activities are usually pure, legal, and free from legal obscurity. As a result, the Ahl al-Bayt (‘a) are reported to have classified agriculture as the most lawful and pleasant of all professions.

In his book, *al-K¡f¢*, Shaykh al-Kulayn¢ has reported through a valid chain on the authority of Sayy¡bah that a man seeking certainty said to Imam al-¯¡diq (‘a), “May Allah accept me as ransom for you! I heard some people saying that agriculture is disapproved of.”

The Imam (‘a) answered:

إِزْرَعُوا وَاغْرِسُوا، فَلاَ وَاللهِ مَا عَمِلَ النَّاسُ عَمَلاً أَحَلَّ وَلاَ أَطْيَبَ مِنْهُ.

You may sow and plant. By Allah (I swear), people have never been engaged in any job that is more lawful and more pleasant than agriculture.[1]

According to another tradition, the Imam (‘a) is reported as saying:

خَيْرُ الأَعْمَالِ الْحَرْثُ، يَزْرَعُهُ فَيَأْكُلُ مِنْهُ الْبَرُّ وَالْفَاجِرُ.

The best of jobs is the sowing of a cultivated land from which both the good and the bad eat.[2]

According to a third tradition, the Imam (‘a) is reported as saying:

الزَّارِعُونَ كُنُوزُ الأَنَامِ، يَزْرَعُونَ طِيباً أَخْرَجَهُ اللهُ عَزَّ وَجَلَّ، وَهُمْ يَوْمَ الْقِيَامَةِ أَحْسَنُ النَّاسِ مَقَاماً وَأَقْرَبُهُمْ مَنْزِلَةً. يُدْعَوْنَ الْمُبَارَكِينَ.

Farmers are the treasures of all creatures. They plant pleasant things that Almighty Allah causes to grow. On the Day of Resurrection, they shall be the best of people in rank and the nearest in standing. They shall be called the blessed ones.[3]

According to an acceptably reported tradition, Imam al-¯¡diq (‘a) is also reported as relating the following:

When he was asked about the best of income, the Holy Prophet (¥) answered:

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 13:193, H. 1.
2- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 13:194, H. 6.
3- Shaykh al-Kulayn¢, *al-K¡f¢* 5:261, H. 7.

زَرْعٌ زَرَعَهُ صَاحِبُهُ وَأَصْلَحَهُ وَأَدَّى حَقَّهُ يَوْمَ حَصَادِهِ.

It is (the income from) a crop that is tended and refined by the planter who then gives its due on its harvest day.

When he was asked about the next category in superiority, the Holy Prophet (¥) answered:

رَجُلٌ فِي غَنَمٍ لَهُ قَدْ تَبِعَ بِهَا مَوَاضِعَ الْقَطْرِ، يُقِيمُ الصَّلاَةَ وَيُؤْتِي الزَّكَاةَ.

It is the money of a man who tends his sheep leading them to rainwater and, at the same time, maintains prayers and defrays the *zakit* tax.[1]

Due to the significance of agriculture and the fortune and reformation found therein, the Prophets and Imams used to work in agriculture in various stages of their lives.

Imam al-¯¡diq (‘a) has reported the Holy Prophet (¥) as saying:

إِنَّ اللهَ جَعَلَ رِزْقَ أَنْبِيَاءِهِ فِي الزَّرْعِ وَالضَّرْعِ لِئَلاَّ يَكْرَهُوا شَيْئاً مِنْ قَطْرِ السَّمَاءِ.

Verily, Almighty Allah has made the sustenance of His prophets in agriculture and shepherding so that they would not resent any drops from the sky (i.e. rain).[2]

According to another tradition, the Holy Prophet (¥) is reported to have said:

مَا بَعَثَ اللهُ نَبِيّاً إِلاَّ زَرَّاعاً، إِلاَّ

All the prophets that Almighty Allah has sent were farmers except (Prophet) Idr¢s (‘a) who was a

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:260-261, H. 6.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:260, H. 2.

tailor.[1]

إِدْرِيسَ فَإِنَّهُ كَانَ خَيَّاطاً.

The Holy Prophet (¥) and Imam `Al¢ Am¢r al-Mu'min¢n (‘a) worked in agriculture. In this respect, Imam al-¯¡diq (‘a) is reported to have said:

كَانَ أَمِيرُ الْمُؤْمِنِينَ، صَلَوَاتُ اللهِ عَلَيْهِ، يَضْرِبُ بِالْمُرِّ وَيَسْتَخْرِجُ الأَرَضِينَ، وَكَانَ رَسُولُ اللهِ، صَلَّى اللهُ عَلَيْهِ وَآلِهِ، يَمُصُّ النَّوَى بِفِيهِ وَيَغْرِسُهُ فَيَطْلُعُ مِنْ سَاعَتِهِ، وَإِنَّ أَمِيرَ الْمُؤْمِنِينَ أَعْتَقَ أَلْفَ مَمْلُوكٍ مِنْ مَالِهِ وَكَدِّ يَدِهِ.

The Commander of the Faithful, peace of Allah be upon him, used a shovel and cultivated the soil. The Messenger of Allah, peace be upon him and his Household, used to take out the seeds (of date-palm trees) and then plant them, and they would grow from that moment. The Commander of the Faithful manumitted one thousand (bonded slaves) out of the money he had obtained from work with his own hands.[2]

In his book, *al-K¡f¢*, Shaykh al-Kulayn¢ through a valid chain of authority has also reported the following account on the authority of Imam al-B¡qir (‘a):

لَقِيَ رَجُلٌ أَمِيرَ الْمُؤْمِنِينَ، عَلَيْهِ السَّلاَمُ، وَتَحْتَهُ وَسْقٌ مِنْ نَوًى، فَقَالَ لَهُ: مَا

One day, a man met the Commander of the Faithful (‘a) and found a small quantity of seeds (of the date-palm tree) beside him. “Abu’l-°asan,” the man asked, “What is this beneath you?”

1- Al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:25, H. 3.
The same is recorded in *`Aw¡l¢ al-La'¡l¢* and other reference books of tradition, yet with a very little difference.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:74, H. 2.

هَـذَا، يَـا أَبَـا الْحَسَـنِ، تَحْتَـكَ؟ فَقَالَ: مِائَةُ أَلْفِ عِذْقٍ، إِنْ شَاءَ اللّه. فَغَرَسَهُ فَلَمْ يُغَادِرْ مِنْهُ نَوَاةً وَاحِدَةً.

The Commander of the Faithful (‘a) answered, “These shall be a thousand bunches, Allah willing.” Hence, the Imam (‘a) planted all these seeds without leaving even a single one.[1]

According to many traditions, Imam al-B¡qir, Imam al-¯¡diq, and Imam al-K¡¨im (‘a) worked in agriculture.[2] that The other Holy Imams (‘a) also worked in this field when they had a chance. Traditions have asserted that agriculture was the general means of livelihood practiced by the Ahl al-Bayt (‘a).

It goes without saying that all economic activities are contingent upon God-wariness and defraying religious dues, including *zak¡t* and others, because success and prosperity are conditional upon observation of such religious duties.

In this regard, the Holy Prophet (¥) is reported to have said:

مَنْ زَرَعَ حِنْطَةً فِي أَرْضٍ فَلَمْ يَزْكُ زَرْعُهُ، أَوْ خَرَجَ زَرْعُهُ كَثِيرَ الشَّعِيرِ، فَبِظُلْمٍ عَمِلَهُ فِي مُلْكِ رَقَبَةِ الأَرْضِ، أَوْ بِظُلْمٍ لِمُزَارِعِهِ، أَوْ أَكْرَتِهِ، لأَنَّ

If someone plants wheat but the crop fails to produce or much barley grows in its place, this means that the planter must have committed a wrongdoing in ownership of that land or in employment of workers; that is, he must have wronged an employee in work or in wage. Almighty Allah says, “Wherefore, for the iniquity of those who are Jews, did We

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:74-75, H. 6.
2- Shaykh al-Kulayn¢, *al-K¡f¢* 5:73-77, H. 1, 3, 7, 9, 10, 11, 13, 14, 15.

disallow to them the good things which had been made lawful for them. (4:160)"[1]

{ ﮯ ﮰ ﮱ ﯓ ﯔ ﯕ ﯖ ﯗ } : ﷲ ﻳﻘﻮﻝ

Social Objectives of Agriculture

The Ahl al-Bayt (‘a) intended to achieve definite social objectives for the virtuous community in particular and wanted to create an accord between this economic activity and the political and social conditions of the community. Some of these objectives can be summed up in the following points:

(1) Agricultural activities have been presented as the best of deeds, as shown by the previously mentioned traditions, because they highlight man’s spiritual connection with Almighty Allah and because they are the most pleasant, most lawful and purest means of earning money.

(2) Engagement in agricultural activities procures self-sufficiency for the individuals of the virtuous community. It also teaches them reliance on Almighty Allah alone in addition to self-dependency in managing their affairs. Under harsh social conditions a self-sufficient farmer can dispense with the help of others completely and has the freedom to manage his life, worship Allah and carry out his duties on his own initiative.

(3) Engagement in agricultural activities provides the members of the virtuous community with a safe refuge and averts direct contact with the despotic authorities and their officials. As a result, a good, yet proportional level of security is achieved for the individuals of the virtuous

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:306, H. 9; *Tafs¢r al-`Ayy¡sh¢* 1:284-285, H. 304; al-Majlis¢, *Bi¦¡r al-Anw¡r* 103:66, H. 15.

community who, under such circumstances, can practice their activities and private rituals freely, because the ruling authorities usually lack influence or power in the rural and agricultural regions. Therefore, such regions were important shelters for the descendants and followers of the Ahl al-Bayt (‘a) who were pursued by the ruling authorities. These regions were also good grounds for promulgating the true guidance that is represented by the faith of Sh¢`ism.

(4) Agriculture, in its capacity as a vital economic activity, provides good income. It is regarded as one of the best means of production and the best method of investment. It also increases the financial capacity of the virtuous community and ensures a considerable financial resource to the governing system of the community through *khums* and *zak¡t*, as well as other dues which are levied from its assets.

Real Estate

The Ahl al-Bayt (‘a) held real estate as one means of earning important funds. They also persuaded their followers to buy and keep real estate, preferring real property to ‘silent’ properties (i.e. currency).

Real estate contributes to construction and improvement of derelict lands. It thus can be a means of production when used as a farm or an orchard, a means of service and aid when used as a dwelling place, or a place of offering commercial services when used as a hotel, hospital, or commercial shop. Real estate, therefore, plays a vital role in human life in general.

A view at the narrations reported from the Ahl al-Bayt (‘a) shows that they laid stress on a number of aspects concerning real estate:

(1) Real estate helps achieve a livelihood and guarantees commercial work and reciprocal movement. Therefore, it is better than ‘silent’ property.

Through a valid chain of authority, Shaykh al-Kulayn¢ has reported on the authority of Mur¡zim that Imam al-¯¡diq (‘a) advised Mu¥¡dif, his servant, saying:

إِتَّخِذْ عُقْدَةً أَوْ ضَيْعَةً، فَإِنَّ الرَّجُلَ إِذَا نَزَلَتْ بِهِ النَّازِلَةُ أَوِ الْمُصِيبَةُ فَذَكَرَ أَنَّ وَرَاءَ ظَهْرِهِ مَا يُقِيمُ بِهِ عِيَالَهُ كَانَ أَسْخَى لِنَفْسِهِ.

Betake yourself a building or a farm. When one is exposed to a misfortune or a conflict, one becomes readier to make self-sacrifice if one realizes that there is something left for the dependents to live on.[1]

Through a valid chain of authority, Shaykh al-¯ad£q has reported that Imam al-¯¡diq (‘a) used to say:

مَا يُخَلِّفُ الرَّجُلُ بَعْدَهُ شَيْئاً أَشَدَّ عَلَيْهِ مِنَ الْمَالِ الصَّامِتِ... يَجْعَلُهُ فِي الْحَائِطِ؛ الْبُسْتَانَ أَوِ الدَّارَ.

No legacy is worse than silent property...it must be transferred into estates; i.e. in gardens or houses.[2]

(2) There is a moral and spiritual aspect in acquiring real estates which is associated with selflessness and altruism. To put in plainer words, the possession of a piece of real estate can bring comfort that there is security for one’s family members; as a result, this can be encouragement to sacrifice oneself for the sake of one’s faith if the need arises, given that individuals of the virtuous community have always been objects of pursuit and persecution by the tyrannical ruling authorities. This aspect has been confirmed by the previously mentioned report of Mur¡zim.

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:92, H. 5; al-°urr al-`ªmil¢, *Was¡'il al-Sh¢`ah* 12:44, H. 3 as quoted from the previous reference book.

2- Sayyid al-Borojerdi, *J¡mi` A¦¡d¢th al-Sh¢`ah* 17:136, H. 8 as quoted from Shaykh al-Kulayn¢, *al-K¡f¢* 5:91, H. 2, 7 & Shaykh al-¯ad£q, *man-l¡-ya¦¤uruhul-faq¢h* 3:170, H. 3642.

(3) The Ahl al-Bayt (‘a) cautioned their followers against selling their real estate unless they wanted to substitute it with a better piece of real estate. They therefore encouraged their followers to hold real estate because it is blessed and brings about sustenance and good fortune unlike ‘silent’ money, which is unblessed and diminishes in value.

Referring to this fact, the Ahl al-Bayt (‘a) are reported to have said:

ثَمَنُ الْعَقَارِ مَمْحُوقٌ إِلاَّ أَنْ يُجْعَلَ فِي عَقَارٍ مِثْلِهِ.

The financial return on an estate is unblessed unless it is used to purchase another estate.

Musmi` has reported that, seeking the advice of Imam al-¯¡diq (‘a), he said, “I have a land that many are asking me to sell and offering good prices.”

The Imam (‘a) answered:

يَا أَبَا سَيَّارٍ، أَمَا عَلِمْتَ أَنَّ مَنْ بَاعَ الْمَاءَ وَالطِّينَ وَلَمْ يَجْعَلْ ثَمَنَهُ فِي الْمَاءِ وَالطِّينِ ذَهَبَ مَالُهُ هَبَاءً؟

Ab£-Sayyir, know that whoever sells water and mud (i.e. land or estate) but does not put its financial return in some other water and mud has verily lost his money in vain.

Musmi` said, “May Allah accept me as ransom for you! I will sell it at a good price and purchase a larger plot of land.”

The Imam (‘a) answered, “If so, there is no objection to selling it.”

According to another narration, the Ahl al-Bayt (‘a) are reported to have said:

مُشْتَرِي الْعُقْدَةِ مَرْزُوقٌ،

A purchaser of real estate will be granted sustenance, but the seller of

it will be deprived of blessing.[1] وَبَـائِـعُـهَـــــــــــــا مَـمْـحُـوقٌ.

(4) It is more highly recommended to purchase various estates in different places rather than in one place, as has been confirmed in the aforementioned report of Mu`ammar ibn Khall¡d from Imam al-Ri¤¡ (‘a).

As a distinctive feature, real estate assets are so blessed that they are free from suspicion and legal and moral confusion, which can accompany merchandise, transactions, or even manual professions.

1- Shaykh al-Kulayn¢, *al-K¡f¢* 5:92, H. 6, 8, 4.

EPILOGUE

The principles that the Ahl al-Bayt (‘a) formulated for this system can be summarized in the following points:

(1) **The Ahl al-Bayt (‘a) laid special emphasis on work,** making use of all possible opportunities and prospects that are permitted by the general economic system of the Muslim community, such as **cultivating unused lands**; pursuing economic activities like **trade and agriculture**; **owning real estate**; **adopting professions and careers** as well as other economic activities; and **avoiding banned activities**, such as **working with and assisting tyrannical rulers against the virtuous community** (with particular exceptions).

(2) **The Ahl al-Bayt (‘a)** instructed their followers to **maintain equilibrium**—between **financial and religious duties** imposed on them and between **social and individual duties. For instance, they specified that paying *zak¡t* to the ruling authority releases the people from liability in this matter. Likewise, they exempted *khums* (one-fifth) from spoils of war, extracted minerals and profits on diving, but levied it on the profit of earnings, to be paid as an equivalent of *zak¡t* of commercial profits as is specified by non-Sh¢`ite Muslims.**

(3) They regulated economic and financial activities in both earning and spending. In addition to emphasizing general alms, the Ahl al-Bayt (‘a) instructed that religious dues must be spent on the individuals of the virtuous community

exclusively.

(4) **They utilized the common economic legislations of Islam, such as *khums*, in domains that served the individuals of the virtuous community, in particular, to maintain self-balance and self-sufficiency.**

(5) They deemed specific financial measures to be obligatory to bring about social solidarity through fulfilling the rights of one's brethren-in-faith by, for example, aiding them financially to meet their needs.

(6) **They put forward certain economic policies and guided the individuals of the virtuous community to work, economize, do business with their money, and use their property in the most appropriate ways. They also took much interest in the moral and spiritual aspects regarding earning profits and avoidance of dependence on others through working and doing business.**